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INSTITUTE OF GOVERNMENT

LEGISLATIVE SERVICE

GENERAL ASSEMBLY OF NORTH CAROLINA

DAILY BULLETIN

P. O. Box 1658 **111 West Morgan St., Raleigh, N. C.** **Telephone** 3-5515

BULLETIN NO. 1
Wednesday, January 7, 1953

Session: Senate -- 12:00 noon

PUBLIC BILLS INTRODUCED -- SENATE

SR 1 - (Joint Resolution) Introduced by Bailey and Royster

"Relative to the inauguration of Governor-elect and other state officers." [Provides for joint committee of two senators and three representatives to cooperate with committee appointed by City of Raleigh and local organizations to arrange details of inaugural ceremonies. Appropriates up to $5,000 to cover inaugural expenses approved by joint committee.] Passed three readings and sent to the House.

SR 2 - (Joint Resolution) Introduced by Pate

"Informing His Excellency, the Governor, that the General Assembly is ready to proceed with public business." [As title indicates; invites Governor to deliver any messages in person or in writing.] Passed three readings and sent to the House.

SR 3 - (Joint Resolution) Introduced by Pate

"Providing for a Joint Session for the inauguration of the Governor-elect and other state officers." [As title indicates; fixes 12 noon on January 8 at Raleigh Memorial Auditorium as time and place for joint session.] Passed three readings and sent to the House.

SB 4 - Introduced by Crawford

"To repeal Chapter 1019 of the Session Laws of 1951 and to repeal Sections 108-30.1, 108-30.2 and 108-30.3 of Volume 3A of the General Statutes of North Carolina relating to the lien on property of recipients of old age assistance." [Repeals entire old age assistance lien law and cancels of record all liens arising under Chapter 1019. No claims may be filed nor money collected, based on present liens.] To appropriate committee when appointed.

SB 5 - Introduced by Larkins and others

"Fixing the expense allowances of the Governor and the Lieutenant Governor, and fixing the salaries of members of the Council of State and the Attorney General." [Effective 8 January, amends G.S. 147-11 to raise Governor's annual expense allowance from $600 to $5,000; provides for annual expense allowance of $1,000 for Lieutenant Governor. Effective 8 January, amends G.S. 147-35, 147-65, 147-55, 115-27, 106-11, 95-2, and 58-6 to raise the annual salaries of the Secretary of State, State Treasurer, Auditor, Superintendent of Public Instruction, Commissioner of Agriculture, Commissioner of Labor and Commissioner of Insurance, respectively, from $7,500 to $10,000, instead of from $7,500 to $9,000 as existing law would provide; amends G.S. 114-7 to raise annual salary of Attorney General from $8,400 to $12,080, instead of from $8,400 to $10,080 as existing law would provide.] Passed three readings and sent to the House.

LOCAL BILLS INTRODUCED -- SENATE

None.

SENATE CALENDAR ACTION

PUBLIC BILLS

SR 1 - (Joint Resolution) Inauguration committee. Passed three readings.
SR 2 - (Joint Resolution) Informing Governor. Passed three readings.
SR 3 - (Joint Resolution) Inaugural joint session. Passed three readings.
SB 5 - Council of State pay. Passed three readings.

HR 1 - (Joint Resolution) Memorializing Ramsay. Received from House; passed three readings.
HR 2 - (Joint Resolution) Memorializing Dawkins. Received from House; passed three readings.
HB 3 - Changing inauguration date. Received from House; passed three readings.

LOCAL BILLS

None.

OFFICERS OF THE 1953 SENATE

President	Lt. Gov. Luther Hodges
President pro-tem	Senator Edwin Pate
Principal Clerk	S. Ray Byerly
Reading Clerk	James M. White, Jr.
Sergeant-at-Arms	William A. Taylor

Rules Committee appointed: Senator Pate, Chairman; Senator Royster, Vice Chairman; Senators Bailey, Barnhardt, Bridger, Copeland, Currie, Edney, Hobgood, Jones, Larkins, Marshall, Rankin, Weaver, Whitley, and Woodson.

The Senate adopted the rules of the 1951 Senate temporarily.

Next session of Senate: 10:00 a.m., Thursday, January 8, 1953.

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BULLETIN NO. 1
Wednesday, January 7, 1953

Session: House -- 12 noon

PUBLIC BILLS INTRODUCED -- HOUSE

HR 1 - (Joint Resolution) Introduced by Uzzell and Barnett
"Of respect to the memory of the Honorable Kerr Craige Ramsay, former member and speaker of the House of Representatives." [As title indicates.] Passed three readings and sent to Senate.

HR 2 - (Joint Resolution) Introduced by Fisher, O'Hanlon and others.
"In appreciation of the life and services of Honorable Johnnie Lee Dawkins of Cumberland County." [As title indicates.] Passed three readings and sent to Senate.

HB 3 - Introduced by Whitmire
"To rewrite G.S. 147-4 relating to executive officers, their election, term and induction into office." [Amends G.S. 147-4 to change day on which Governor is inaugurated from first Tuesday to first Thursday after convening of General Assembly. Makes Commissioners of Insurance, Agriculture and Labor official members of executive department.] Passed three readings and sent to Senate.

HB 4 - Introduced by Hunt and Turner
"To amend G.S. 105-147 so as to permit the deduction of federal income taxes for state income purposes." [Amends G.S. 105-147 to permit deduction of federal income tax payments in computation of net income for state income tax purposes, effective July 1, 1953.] To Finance.

HB 6 - Introduced by Martin
"To repeal Chapter 1019, Session Laws of 1951, providing for recovery of old age assistance payments and creating a lien upon property of those receiving old age assistance." [Repeals entire old age assistance lien law and invalidates liens now in force.] To Public Welfare.

LOCAL BILLS INTRODUCED -- HOUSE

HB 5 - (Scotland) Introduced by Kiser
"To authorize the governing body of the city of Laurinburg, in Scotland County, to sell certain property." [Authorizes city to sell fire station lot and present city hall. Sale is to be made under provisions of G.S. 160-59.] To Counties, Cities, and Towns.

HOUSE CALENDAR ACTION

PUBLIC BILLS

SR 1 - (Joint Resolution) Inauguration committee. Received from Senate; passed three readings.
SR 2 - (Joint Resolution) Informing Governor. Received from Senate; passed three readings.
SR 3 - (Joint Resolution) Inaugural joint session. Received from Senate; passed three readings.
SB 5 - Council of State pay. Received from Senate; passed three readings.

HR 1 - (Joint Resolution) Memorializing Ramsay. Passed three readings.
HR 2 - (Joint Resolution) Memorializing Dawkins. Passed three readings.
HB 3 - Changing inauguration date. Passed three readings.

LOCAL BILLS

None.

OFFICERS OF THE 1953 HOUSE

Speaker	Eugene T. Bost, Jr.
Principal Clerk	Mrs. Annie E. Cooper
Reading Clerk	(Election deferred to later date)
Sergeant-at-Arms	C. Wayland Spruill

The rules of the 1951 House were adopted temporarily.

Next session of House: 10:00 a. m., Thursday, January 8, 1953.

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LEGISLATIVE SERVICE

GENERAL ASSEMBLY OF NORTH CAROLINA

DAILY BULLETIN

P. O. Box 1658 111 West Morgan St., Raleigh, N. C. Telephone 3-5515

BULLETIN NO. 2
Thursday, January 8, 1953

Session: Senate -- 10:00 a.m.
12;00 noon, joint session

PUBLIC BILLS INTRODUCED -- SENATE

None.

LOCAL BILLS INTRODUCED -- SENATE

None.

SENATE CALENDAR ACTION

PUBLIC BILLS

None.

LOCAL BILLS

None.

Next session of Senate: 10:00 a.m., Friday, January 9, 1953

BULLETIN NO. 2
Thursday, January 8, 1953

House -- 10: a.m.
12:00 noon, joint session

PUBLIC BILLS INTRODUCED -- HOUSE

None.

LOCAL BILLS INTRODUCED -- HOUSE

None.

HOUSE CALENDAR ACTION

PUBLIC BILLS

None.

LOCAL BILLS

None.

BILLS RATIFIED

SR 1 - (Joint Resolution) Inaugural committee.
SR 2 - (Joint Resolution) Informing Governor.
SR 3 - (Joint Resolution) Inaugural joint session.
SB 5 - Council of State pay.

HR 1 - (Joint Resolution) Memorializing Ramsay.
HR 2 - (Joint Resolution) Memorializing Dawkins.
HB 3 - Changing inauguration date.

Next session of House: 10:00 a.m., Friday, January 9, 1953.

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SUMMARY OF GOVERNOR UMSTEAD'S INAUGURAL MESSAGE

Delivered to the Joint Session of the General Assembly of North Carolina at 12:00 noon, January 8, 1953.

After expressing profound thanks and appreciation for the high honor accorded to him, Governor Umstead acknowledged the responsibility of his office and dedicated himself to the discharge of his trust "with a proper reverence for the past, confidence in the present, and faith in tomorrow." The Governor then submitted to the legislature and to the people a number of views and recommendations.

(1) Public Education

Since the construction of school buildings has not met a rapidly increasing need, and since the State Constitution requires equal school facilities for our children, without discrimination, a bond issue for school construction should be submitted to the people in an amount to be determined by the General Assembly. The proceeds should be distributed by the State Board of Education to the counties on the basis of need and ability to pay, but this aid "is not intended to relieve the counties of the primary responsibility to provide adequate facilities, without discrimination." An attempt should be made to restore some degree of local control without injuring our State system, and the human element ought to be considered in all questions of school consolidation. The whole state school law should be codified to make it readily usable.

A ten per cent salary increase, retroactive to July 1, 1952, is recommended for school teachers and other school personnel. As much increase as can be provided within available revenues during the next biennium is also recommended. The shortage of elementary teachers is not due entirely to our salary scale. Reports indicate that rigorous and complicated requirements and regulations discourage prospective elementary teachers. If these reports are true, the situation should be remedied at once. The General Assembly, the State Board of Education, and the State Department of Public Instruction should study the problem, and take the action necessary to solve it.

Sufficient funds should be provided to employ the number of qualified attendance personnel necessary to enforce the school attendance law. Transportation of children to schools should be improved and made as safe as humanly possible. A continuation of the physical examination of school children is recommended.

The recently accomplished reduction of the teacher load from 31.7 to 30 pupils should be continued during the next biennium. The teacher load should be further reduced as rapidly as finances will permit. A provision for necessary clerical assistance and supplies for the expanding school system is desirable. More emphasis on the strongest points and less publicity in emphasizing the weakest points of our educational system is suggested.

(2) Institutions of Higher Learning

There are continuing needs for further permanent improvements in our institutions of higher learning, but the lack of available funds makes any large scale building program impossible at this time.

(3) Educational Television

It is recommended that the General Assembly authorize a commission, to be appointed by the Governor, to study the possible uses of eight television channels allocated or reserved for North Carolina for educational purposes. The commission would report its findings to this session of the General Assembly.

(4) Roads

Good roads are a modern necessity, and the maintenance, improvement, and building of roads is an unending task. The rapid increase in overall traffic load and the tremendous increase in heavy commercial traffic are adding so tremendously to the cost of maintaining our primary roads that there will not be in the foreseeable future adequate funds from existing gasoline revenues to build primary roads. The General Assembly is urged to determine (a) a long-range primary road building program; (b) what, if anything, can be done "to increase current revenues by a more equitable distribution of the cost of the use of our highways;" and (c) what, if anything, can be done "to protect our highways against usages which contribute to their rapid deterioration."

There are some 66,000 miles of roads, of which about 26,000 miles are hard surfaced, under the jurisdiction of the State Highway and Public Works Commission. If the number of highway divisions and highway commissioners were increased from ten to fifteen, it would make for efficiency and economy and would bring highway administration closer to the people.

(5) Highway Safety

The people of North Carolina can do the most to reduce highway accidents and fatalities. The State Highway Patrol, all law enforcement officers, and the courts are called upon for effective enforcement of traffic laws. These additional laws are recommended: (a) a common sense mechanical inspection law; (b) establishment of a driver training program in every public high school; (c) making mechanical alteration of a motor vehicle to increase its speed unlawful; (d) amendment of the hit-and-run statute to require immediate notification of the owner of the car, or the police, after a collision with a parked or unattended vehicle.

(6) Agriculture

The State must continue improvements in agriculture and endeavor to raise the average per capita income of farmers. All of our people should unite to stop soil erosion. There is need for more improved pasture land, more dairy and beef cattle, more poultry, additional processing plants and expanded marketing facilities for agricultural products, an expanded program of agricultural research, a comprehensive and effective forestry program, and more effective methods of protecting and using water and wildlife resources.

(7) Conservation and Development

We must bring to our state new industry and new types of industry and encourage expansion of industries which we now have. More tax dollars will be necessary if there is to be a continuing improvement of present state services, but it is better to obtain new taxpayers than to increase the load on those currently paying taxes.

The seafood industry must be encouraged, and to this end the laws pertaining to our fishing industry should be examined and changed as necessary. Two fine ports at Morehead City and Wilmington have been completed, but export and import trade must be developed. The General Assembly should make it possible to pay to skilled specialists salaries which are in line with salaries in other ports, and should re-examine and amend the Ports Authority Act to make possible the development of small inland ports.

North Carolina has outstanding recreational facilities and scenic attractions, and substantial income is derived from tourist trade. The cooperation of all citizens is invited for the purpose of bringing additional tourists to North Carolina. The program of advertising North Carolina should be continued, and additional funds should be provided to enlarge this program.

Steps should be taken, as necessary, in keeping with wise and fair procedures, to avoid and eliminate stream pollution. Further development of the state's mineral resources is recommended, and the topographic mapping program now underway should be continued.

(8) Health

The coordinated system of medical training, teaching, and healing, the construction of hospitals over the State, and the Health Center at Chapel Hill, were initiated by the 1945 General Assembly. The original concept of this Medical Care Plan must be translated into a reality of service to the prople that will be, "I hope, an effective answer to the advocates of socialized medicine, to which I am strongly opposed."

(9) State Institutions for the Mentally Ill

We have worked at our obligations to our mentally ill in piece-meal fashion long enough. It is recommended that the General Assembly submit a bond issue to the people in an amount sufficient to provide funds for training schools for feebleminded white and Negro children, and for construction, equipment and operation of facilities for adult needs now and for some years to come. Provisions should be made for a coordinated study of the causes of feeblemindedness and methods of preventing it.

(10) Welfare

Rehabilitation of those on welfare rolls should be given special emphasis. We should take pride not in the number of people on our relief rolls but in the number properly removed from those rolls.

(11) Reorganization of State Government

It is recommended that the General Assembly authorize a commission, to be appointed by the Governor, to study state government reorganization, and to report findings and recommendations to the Governor by December 1, 1954.

(12) Prison System

The separation of the prison system from the State Highway and Public Works Commission is perhaps desirable, but there are difficult administrative and financial problems to overcome which require careful study and planning. The reorganization commission recommended above should include this matter in its report.

(13) Paroles Commission

It is impossible for one commissioner to conduct the affairs of the parole office adequately. It is recommended that a Paroles Commission be created, consisting of three commissioners (with one designated as chairman) to be appointed by, and serve at the will of, the Governor. The commission studying state government should include in its report a study on the advisability of combining the Probation Department with the Paroles Department.

(14) State Employees

Due to the increase in cost of living, a ten per cent increase in the salaries of state employees is recommended, retroactive to July 1, 1952. All those people who had been in the employ of the State for not less than twenty years when the state retirement system was created, and who are now receiving retirement benefits, should be paid not less than $50.00 per month.

(15) Public Utilities

The furnishing of power and telephones is not a state function. The State can, through the Utilities Commission, in proper cases, require franchise holders to furnish utilities. In such matters the cooperation of both private industry and the federal government will be sought. Every effort will be made to supply electric power in quantities sufficient to meet the requirements of the people and of an expanding industry. Clerical and expert assistance should be provided to the Utilities Commission to enable it to render the service expected in the face of an increased volume of work.

(16) Labor

Every citizen of this State has the right to work, and to go to work wherever his job may be, unmolested by anyone. The importance and the right of collective bargaining is fully recognized, and this method should be used to settle any difficulties which may arise. A state minimum wage law should be enacted which will be reasonable and fair to employees, employers, and the public.

(17) Courts

No superior court judge should be required to hold more than forty weeks of court in any calendar year. The creation of additional superior court districts would be difficult from a practical and political standpoint, but the need for additional judges is imperative. The legislature should provide for additional regular superior court judges.

(18) Referendum

The issue of the sale of intoxicating liquor should not be disposed of on the basis of taxation. It is a moral question which should be submitted to the people of North Carolina in the form of a referendum.

(19) Redistricting for Senators and Representatives

The 1951 General Assembly did not comply with the state constitutional requirement that at the first session after the return of every enumeration by order of Congress, the state shall be redistricted for membership in the Senate and the House of Representatives. "I, therefore, recommend that this General Assembly carry out the clear mandate of the Constitution of North Carolina."

(20) Taxes

New taxes or increased rates would be unwise and detrimental to further development of our state. We must operate on a balanced budget and preserve our credit standing. "If the General Assembly finds that a realistic estimate of revenues for the next biennium will not be sufficient to meet properly the essential needs of the State, including a reasonable increase for our teachers, then, instead of new taxes or increased rates, I suggest that the schedule of exemptions under the sales tax be revised."

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BULLETIN NO. 3
Friday, January 9, 1953

Session: Senate -- 10:00 a.m.

PUBLIC BILLS INTRODUCED -- SENATE

None.

LOCAL BILLS INTRODUCED -- SENATE

None.

SENATE CALENDAR ACTION

PUBLIC BILLS

None.

LOCAL BILLS

None.

Next session of Senate: For consideration of local bills only, 9:30 a.m., Saturday, January 10, 1953.

#

BULLETIN NO. 3
Friday, January 9, 1953

Session: House -- 10:00 a.m.

PUBLIC BILLS INTRODUCED -- HOUSE

HB 7 - Introduced by Umstead and others.

"To amend Chapter 135 of the General Statutes of North Carolina, the same being the Teachers' and State Employees' Retirement Act, in order to establish a minimum retirement allowance and pension of sixty dollars monthly for thirty years of service." [Adds G. S. 135-18.1 (although a section numbered 135-18.1 already exists relating to transfer of credits from the old to the new retirement system), providing, from and after July 1, 1953, supplementary payments to recipients of benefits under Teachers' and State Employees' Retirement System to raise such benefits to a minimum of $50 plus one dollar for every year of accredited service from the 21st through the 30th. Prohibits such supplementary payments to teachers or employees who accepted retirement benefits between the ages of 55 and 60. Excludes service rendered after July 1, 1951 or after reaching age 65, from computation of service years. Delegates administration to board of trustees of retirement system and authorizes the board to (1) make necessary rules; (2) utilize existing personnel and hire any new help necessary; and (3) reimburse the retirement system from funds to be appropriated for administration expenses incurred. Prohibits use of retirement system funds for supplementary payments. Appropriates necessary funds for two years, beginning July 1, 1953, and provides that payments cease if appropriations are not renewed.Amends G. S. 135-14 to provide supplementary payments identical with those which would be provided under G. S. 135-18.1, from and after July 1, 1953, for classroom teachers with at least 20 years of service in North Carolina public schools who: (1) were not teaching when the Teachers' Retirement System Act was enacted; (2) were 65 or older on March 10, 1943; and (3) are without adequate means of support.] To Teachers' and Employees' Retirement.

HB 9 - Introduced by Collier and others

"To appropriate funds to aid in the construction and repair of public schools" [Citing excess of current state revenues over 1951 appropriations and need of counties for emergency funds to construct, maintain and repair public school buildings and to equalize school facilities for white and Negro children, appropriates $50 million to State Board of Education as grant-in-aid for the counties as follows: 1. $25 million from General Fund, (a) $12.5 million during 1951-53 biennium and (b) $12.5 million during 1953-55 biennium. 2. $25 million from issuance of state bonds, (a) $12.5 million to be issued in 1953-55 biennium and (b)$12 .5 million to be issued in 1955-57 biennium. Allocates funds as follows: 25% equally to each county; 25% on a per capita basis determined by average daily school membership in the counties for the year preceding allocation; and 50% to equalize burden of providing equal school facilities within the counties according to need and ability to raise funds as determined by a survey to be made by the State Board of Education. Authorizes State Board of Education to deduct 1/4 of 1% of amount allocated to each county to meet cost of survey and plans for construction, improvement and repair of school buildings. Authorizes state to issue and sell serial bonds in sum of $25 million, payable semi-annually with interest not to exceed 4% and maturing within 20 years, as fixed by Governor and Council of State. Contains administrative provisions covering form and denomination of coupons and sale of these bonds by State Treasurer. Authorizes State Treasurer to borrow money and issue notes with consent of Governor and Council of State (a) for anticipating sale of bonds to the issuance of which Governor and Council of State have given consent, if Treasurer deems it advisable to postpone issuance, (b) for payment of interest or principal of such bonds then outstanding if there are insufficient state funds to pay principal or interest when due, or (c) for renewal of any loan evidenced by notes herein authorized. Makes matured bond coupons legal tender for payment of state obligations; exempts bonds and notes from all state taxes; and authorizes investment in bonds and notes by fiduciaries.] To Education.

HR 11 - (Joint Resolution) Introduced by Moore of Clay

"Expressing respect and sympathy upon the death of Fred Davidson Pass, former member of the General Assembly from Clay County." [As title indicates.] Passed three readings and sent to Senate.

LOCAL BILLS INTRODUCED -- HOUSE

HB 8 - (Person) Introduced by Satterfield

"To amend G. S. 9-25 relating to the manner of selecting the grand jury in Person County." [Adds section providing for selection of regular grand jury at first criminal term of superior court in county following January 1, 1953, of which first nine members shall serve until first criminal term following January 1, 1954 and second nine shall serve until first criminal term following July 1, 1953. After July 1, 1953 nine members of grand jury are to be chosen at first criminal term following first days of January and July in each year.] Passed three readings and sent to Senate.

HB 10 - (Union) Introduced by Wilson

"To appoint certain members of the board of education for Union County, whose names were inadvertently left out of Chapter 1117 of the Session Laws of 1951." [Appoints James R. Braswell and Allen W. Collins to county board of education for remainder of term ending first Monday in May, 1953. Provides for qualification of persons appointed on second Monday following ratification of act and for payment of per diem and mileage for remainder of term.] Passed three readings and sent to Senate.

HOUSE CALENDAR ACTION

PUBLIC BILLS

HR 11 - (Joint Resolution) Memorializing Pass. Passed three readings.

LOCAL BILLS

HB 8 - (Person) Grand jury selection. Passed three readings.
HB 10 - (Union) Education board appointments. Passed three readings.

Note: The House today elected Mr. Carl Goerch as permanent reading clerk for the 1953 session.

Next session of House: For consideration of local bills only, 10:00 a. m., Saturday, January 10, 1953.

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DAILY BULLETIN

P. O. Box 1658 111 West Morgan St., Raleigh, N. C. Telephone 3-5515

BULLETIN NO. 4
Monday, January 12, 1953

NOTE

The Senate convened at 9:30 a.m., Saturday, January 10, to consider local bills only. No bills were introduced and no calendar action was taken in the Senate.

Session: Senate -- 8:00 p.m.

PUBLIC BILLS INTRODUCED -- SENATE

None.

LOCAL BILLS INTRODUCED -- SENATE

None.

SENATE CALENDAR ACTION

PUBLIC BILLS

HR 11 - (Joint Resolution) Memorializing Pass. Received from House; placed on calendar; passed second and third readings.

LOCAL BILLS

HB 8 - (Person) Grand Jury selection. Received from House; placed on calendar; passed second and third readings.
HB 10 - (Union) Education board appointments. Received from House; placed on calendar; passed second and third readings.
HB 12 - (Yancey) Education board appointments. Received from House; placed on calendar; passed second and third readings.

Next session of Senate: 12 noon, Tuesday, January 13, 1953.

#

BULLETIN NO. 4
Monday, January 12, 1953

NOTE

The House convened at 10:00 a.m., Saturday, January 10, to consider local bills only. Bills introduced and calendar action taken are included in this bulletin.

Session: House -- 8:00 p.m.

PUBLIC BILLS INTRODUCED -- HOUSE

None.

LOCAL BILLS INTRODUCED -- HOUSE

HB 12 - (Yancey) Introduced by Atkins, 1/10
"To fill the vacancies existing in the board of education of Yancey County." [Appoints J. Yates Bailey, T. A. Buchanan and Lloyd Fortner to county board of education for remainder of term ending first Monday in April, 1953.] Passed three readings and sent to Senate.

HB 13 - (Mitchell) Introduced by McKinney, 1/10
"To repeal Chapter 104 of the Session Laws of 1947, relating to the charter of the town of Bakersville, in Mitchell County." [Ch. 116, Sec. 7, 1869-70 Private Laws, set a 50¢ poll tax limit and a 25¢ tax limit per $100 property valuation. Ch. 104, 1947 Session Laws, raised both limitations to $1. This bill (HB 13) repeals Ch. 104, 1947 Session Laws.] To Counties, Cities and Towns.

HB 14 - (Haywood) Introduced by Palmer, 1/10
"To change the date of the municipal election for the town of Clyde to the first Tuesday after the first Monday in May." [Amends Secs. 3 and 4 of Ch. 807 of the 1949 Session Laws to change the date of Clyde municipal election from the first Tuesday after the first Monday in June to the first Tuesday after the first Monday in May.] To Counties, Cities and Towns.

HB 15 - (Rowan) Introduced by Uzzell and Barnett
"To provide a uniform bill of costs for justices of the peace in Rowan County." [Sets out in detail fees JPs may charge in Rowan County.] To Judiciary 1.

HOUSE CALENDAR ACTION

PUBLIC BILLS

None.

LOCAL BILLS

HB 12 - (Yancey) Education board appointments. Passed three readings, 1/10.

Next session of House: 12 noon, Tuesday, January 13, 1953.

#

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BULLETIN NO. 5
Tuesday, January 13, 1953

Session: Senate -- 12 noon

PUBLIC BILLS INTRODUCED -- SENATE

SR 6 - (Joint Resolution) Introduced by Pate

"To authorize and provide for the printing of the Governor's address and budget message to the General Assembly." [As title indicates.] Passed three readings and sent to House.

LOCAL BILLS INTRODUCED -- SENATE

None.

SENATE CALENDAR ACTION

PUBLIC BILLS

SR 6 - (Joint Resolution) Printing Governor's messages. Passed three readings.

LOCAL BILLS

None.

BILLS RATIFIED

HB 8 - (Person) Grand Jury selection.
HB 10 - (Union) Education board appointments
HR 11 - (Joint Resolution) Memorializing Pass.
HB 12 - (Yancey) Education board appointments.

Next session of Senate: 12 noon, Wednesday, January 14, 1953.

#

BULLETIN NO. 5
Tuesday, January 13, 1953

Session: House -- 12 noon

PUBLIC BILLS INTRODUCED -- HOUSE

HR 16 - (Joint Resolution) Introduced by Edwards and others

"Expressing appreciation to Major General John Hall Manning, Adjutant General of North Carolina, and the members of his staff, and other officers of the North Carolina National Guard for the excellent manner in which the ceremonies incident to the inauguration of His Excellency William B. Umstead, Governor of North Carolina, were planned and carried out." [As title indicates.] Passed three readings and sent to Senate.

HR 17 - (Joint Resolution) Introduced by Anderson

"Honoring the memory and achievements of James Turner Pritchett, a former member of the House of Representatives of the General Assembly of North Carolina and expressing sympathy because of his death." [As title indicates.] Passed three readings and sent to Senate.

HB 18 - Introduced by Blue

"To amend section 4 of article II of the Constitution of North Carolina so that a senatorial district consisting of one county shall not be entitled to more than one senator in the General Assembly." [Sets out ballot form to be submitted at next general election to effect proposal indicated in title.] To Senatorial Districts.

HB 20 - Introduced by Rodman

"To amend G.S. 55-31 relating to the amendment of certificates of incorporation." [By amending cited section, permits any corporation which cannot now be created under G.S. Ch. 55 (railroads, banks, insurance companies, and building and loan associations) to amend its certificate of incorporation to: (1) create classes of preferred stock; (2) change the nature of its business; (3) relinquish branches of its business; (4) extend its business to any branch which might have been inserted in its original certificate of incorporation; and (5) make any amendment which could lawfully be inserted in an original certificate of incorporation at the time the amendment is made. Clarifies provisions requiring Secretary of State, before issuing or recording an amendment certificate pertaining to a corporation which cannot be created without approval of the Commissioner of Banks or Utilities Commission, to submit such certificate to the proper Commissioner or Commission for approval. Adds provision requiring Secretary of State, before issuing or recording an amendment certificate pertaining to a corporation which cannot be created without approval of the Commissioner of Insurance or other state officer or agency, to submit such certificate to the proper Commissioner or other state officer or agency for approval. Validates amendments made prior to the passage of this act which would be valid under this act.] To Judiciary 1.

LOCAL BILLS INTRODUCED -- HOUSE

HB 19 - (Polk) Introduced by Brantley

"To define the jurisdiction of the law enforcement officers of the town of Tryon Board of Alcoholic Control." [G.S. 18-45(o) gives county-wide peace officer jurisdiction to county ABC officers, and extra-county jurisdiction while in hot pursuit of liquor law violators or while assisting officers in other counties upon their request to suppress prohibition law violations. This bill gives Tryon ABC officers "the same powers and authorities within the County of Polk" as conferred by G.S. 18-45(o).] To Judiciary 1.

HB 21 - (Iredell) Introduced by Randall

"To fill a vacancy on the county board of education of Iredell County arising because of the resignation of a member of the present board." [Appoints Raymond D. Wallace to county board of education to fill unexpired term of Frank King, who resigned, ending first Monday in April, 1955. Provides for qualification on or before the first Monday in February, 1953.] Passed three readings and sent to Senate.

HB 22 - (Rowan) Introduced by Uzzell

"To authorize the desk officer or desk sergeant in the Salisbury police office to issue warrants." [Authorizes police officer or sergeant on desk duty to issue arrest warrants returnable before some justice of the peace of the township or Rowan County Court judge. Issuing officer can not serve warrant, and issuance fee goes to city.] To Judiciary 1.

HOUSE CALENDAR ACTION

PUBLIC BILLS

HR 16 - (Joint Resolution) Inauguration ceremonies appreciation. Passed three readings.

HR 17 - (Joint Resolution) Memorializing Pritchett. Passed three readings.

LOCAL BILLS

HB 21 - (Iredell) Education board appointment. Passed three readings.

Rules Committee appointed: Rep. Womble of Wake, Chairman; Rep. Little of Anson, Vice-Chairman; Representatives Askew, Barker, Branch, Brown of Jackson, Bryant, Clark of Bladen, Doughton, Edwards, Falls, Fisher of Transylvania, Gobble, Goodman, Green, Johnson of Currituck, Kemp, Leinbach, Quinn, Randall, Rodenbough, Swindell, Venters, Whitmire, Williams of Nash, Williamson, Worthington, Uzzell, and Young.

Next session of House: 12 noon, Wednesday, January 14, 1953.

#

INSTITUTE OF GOVERNMENT

LEGISLATIVE SERVICE

GENERAL ASSEMBLY OF NORTH CAROLINA

DAILY BULLETIN

P. O. Box 1658 **111 West Morgan St., Raleigh, N. C.** **Telephone 3-5515**

BULLETIN NO. 6
Wednesday, January 14, 1953

Session: Senate -- 12 noon

PUBLIC BILLS INTRODUCED -- SENATE

SB 8 - Introduced by McIntyre

"To amend G.S. 18-45, relating to the powers and duties of county boards of alcoholic control." [Amends subsection (h) of cited section by adding to the powers of each county board of alcoholic control the power to sell or convey property "as and when required for the storage and sale of alcoholic beverages and for distribution to all county stores within said county."] Placed on calendar.

LOCAL BILLS INTRODUCED -- SENATE

SB 7 - (Scotland) Introduced by Pate

"To fill the vacancy on the county board of education of Scotland County occasioned by the resignation of Edwin Morgan, former member of said board." [Names James L. Morgan to fill the unexpired term of Edwin Morgan, resigned.] Passed three readings and sent to House.

SENATE CALENDAR ACTION

PUBLIC BILLS

HR 16 - (Joint Resolution) Inauguration ceremonies appreciation. Received from House; placed on calendar; passed second and third readings.
HR 17 - (Joint Resolution) Memorializing Pritchett. Received from House; placed on calendar; passed second and third readings.
HR 23 - (Joint Resolution) TV study commission. Received from House; placed on calendar; passed second and third readings.

LOCAL BILLS

SB 7 - (Scotland) Education board appointment. Passed three readings.

HB 21 - (Iredell) Education board appointment. Received from House; placed on calendar; passed second and third readings.

Note: The Senate adopted as its permanent rules the Rules of the 1951 Senate with the following changes and additions:
(1) The number of standing committees is reduced from thirty-six to twenty-eight. The following committees are eliminated: Institutions for the Blind and Deaf, Commercial Fisheries, Constitutional Amendments, General Statutes, Justice of the Peace, and Public Buildings and Grounds. The committee on Election Laws is consolidated with the committee on Senatorial Districts and renamed Election Laws and Senatorial Districts; the committee on Teachers and State Employees Retirement is consolidated

with the committee on Employment Security and renamed Retirement-Employment Security.
(2) The Senate joint committees reserve the right to vote separately from House committees when the Senate and House committees sit jointly. Committees on Justice of the Peace and Public Buildings and Grounds are eliminated from the list of Senate joint committees.
(3) All bills prepared for introduction by state departments, agencies, and institutions and all local bills must be introduced not later than March 1.
(4) The number of committees authorized to have clerks is reduced from twenty-seven to fifteen.

Next session of Senate: 12 noon, Thursday, January 15, 1953.

#

BULLETIN NO. 6
Wednesday, January 14, 1953

Session: House -- 12 noon

PUBLIC BILLS INTRODUCED -- HOUSE

HR 23 - (Joint Resolution) Introduced by Umstead and others

"Providing for the appointment of a commission to study and report upon the uses of the television channels allocated to the State of North Carolina for non-commercial education and cultural television purposes." [Creates State Educational Radio and Television Commission of 12 members, appointed and chairman designated by Governor, to study and make recommendations for possible uses of 8 TV channels indicated in title, with particular reference to proposed uses and development and financing of plans for operation and management of facilities for educational purposes. Commission shall determine its organization and procedure; may employ (and remove at pleasure) necessary persons and fix their compensation with Budget Director's approval; may sign agreements and do acts desirable to carry out purposes; and may meet in or out of state and hold public or private hearings, with all statutory powers of legislative committee. Commission members are to receive no compensation except necessary expenses and are to make report to Governor at earliest practicable date. Appropriates $5,000, or amount thereof necessary, for study from General Fund.] Passed three readings and sent to Senate.

HR 24 - (Joint Resolution) Introduced by Fisher of Transylvania and Ramsey

"Honoring the memory and achievements of James Henry Hutchins, a former member of the House of Representatives, and expressing sympathy because of his death." [As title indicates.] Passed three readings and sent to Senate.

HB 30 - Introduced by Carr and others

"To rewrite G.S. 20-7(d) relating to the issuance of operators' licenses." [Retains provision for examination and re-examination of previously licensed motor vehicle operators. Adds provision that Motor Vehicles Department shall notify a person 60 days prior to expiration of operator's license, and Department must reissue such license without re-examination upon submission, on department furnished forms, of a statement sworn before a magistrate or notary public that the "mental or physical condition" of the applicant is unchanged, and that applicant has not been involved in an accident causing injury to person or over $50 property damage. Knowingly making false statement is declared perjury, punishable on conviction by fine not over $1,000 and imprisonment in county jail or state prison not less than 4 months nor more than 10 years. Effective July 1, 1953.] To Roads.

HB 32 - Introduced by Mobley

"To amend G.S. 76-61 and G.S. 76-62 relating to the licensing of pilots for Old Topsail Inlet and Beaufort Bar in Carteret County." [Amends G.S. 76-61, dealing with licensing and examination of pilots, to eliminate provision limiting to three the number of such pilots which may be commissioned by the board of commissioners of navigation and pilotage for Old Topsail Inlet and Beaufort Bar. Permits commissioners to fix number of pilots which may be commissioned. Eliminates from G.S. 76-62 provision requiring commissioners to obtain written approval of two licensed pilots before licensing any pilot.] To Counties, Cities and Towns.

LOCAL BILLS INTRODUCED -- HOUSE

HB 25 - (Pamlico) Introduced by Collier

"Amending the county finance act so as to authorize counties to borrow money for expenses of revaluation and re-assessment of property in the year 1953, applicable only to Pamlico County." [Adds subsection (n) to G.S. 153-77 to authorize counties to issue bonds and notes, and to levy property taxes for payment of such bonds and notes, for purposes of revaluation and reassessment of real property. Bonds may not be issued after June 30, 1953, and may not exceed $10,000 in amount. Amends G.S. 153-80 to set three year limit on maturing of bonds issued for revaluation or reassessment purposes. Applicable only to Pamlico County.] To Finance.

HB 26 - (Martin) Introduced by Corey

"To create a peace officers' relief fund for the county of Martin." [Sets up Martin County Peace Officers' Association, including as potential members all peace officers in Martin County and State Highway Patrolmen. Eligible persons must apply for membership, pay an initiation fee of not more than $2, and annual dues, both to be set by a 5-member executive board elected annually by the association. Special officers or deputized citizens must be given reasonable time from date of appointment, not to exceed 30 days, to apply for membership. Martin County treasurer is designated ex-officio association treasurer. Final determination is made by executive board of eligible persons and amount of benefits payable to (1) members injured or sick while on duty; (2) widows and children, or dependent mothers, of members dying from injuries or disease incurred while on duty; (3) members who grow old in line of duty; and (4) persons injured while acting as peace officers. Prohibits court action against association to enforce claims or recover benefits under this law or association constitution and by-laws (which must be adopted). A $1 fee is to be collected as part of costs in all criminal actions in Martin County in which defendant (1) enters a plea of nolo contendere; (2) enters a plea of guilty; or (3) is adjudged guilty by a jury. Fees are to be turned over monthly to association treasurer who must make annual financial report. Accumulated funds are not subject to state, county, or municipal taxation and may be invested in securities or bonds unanimously approved by board, income to be added to principal. Executive board is authorized to accept gifts and to set up group insurance plan to cover death or disability of members, premiums to be paid from association funds. Officers and executive board members serve without compensation.] To Teachers' and State Employees' Retirement.

HB 27 - (Rockingham) Introduced by Powell

"To amend Ch. 330 of the Session Laws of 1947 relating to elections held in the city of Reidsville, in Rockingham County." [Changes municipal election date from Tuesday after first Monday in May, 1954, to Saturday after first Monday in May, 1954, and biennially thereafter. Adds provision that members of school committee of Reidsville Graded School District be elected on same dates. Requires candidates for municipal offices and the school committee to pay $10 filing fee.] To Elections and Election Laws.

HB 28 - (Rockingham) Introduced by Powell

"To repeal all provisions of Ch. 272 of the Session Laws of 1949 relating to jury trials in the recorder's court of the city of Reidsville." [Provides that cited court shall have no authority to conduct any jury trials and repeals sections 2,3 and 4 of cited chapter and all other laws pertaining to jury trials in that court. Authorizes transfer of that court's special jury funds to general fund of city. Effective thirty days after ratification.] To Judiciary 2.

HB 29 - (Rockingham) Introduced by Powell

"To amend Sec. 113-111 of the General Statutes so as to permit the taking and killing of foxes at any time in Rockingham County." [As title indicates.] To Wildlife Resources.

HB 31 - (Wayne) Introduced by Kemp

"To authorize the county commissioners of Wayne County to turn into the general fund all taxes collected for the year nineteen hundred and forty-nine and all prior years." [Empowers board to turn into general county fund all taxes for 1949 and prior years which may be collected hereafter.] To Finance.

HOUSE CALENDAR ACTION

PUBLIC BILLS

SR 6 - (Joint Resolution) Printing Governor's messages. Received from Senate; placed on calendar; passed second and third readings.

HR 23 - (Joint Resolution) TV study commission. Passed three readings.
HR 24 - (Joint Resolution) Memorializing Hutchins. Passed three readings.

LOCAL BILLS

None.

Next session of House: 12 noon, Thursday, January 15, 1953.

#

INSTITUTE OF GOVERNMENT

LEGISLATIVE SERVICE

GENERAL ASSEMBLY OF NORTH CAROLINA

DAILY BULLETIN

P. O. Box 1658 111 West Morgan St., Raleigh, N. C. Telephone 3-5515

BULLETIN NO. 7
Thursday, January 15, 1953

Session: Senate -- 12 noon

PUBLIC BILLS INTRODUCED -- SENATE

SB 9 - Introduced by Copeland
"To amend the law granting coverage of governmental employees under Title II of the social security act so as to provide for retroactive coverage." [Identical with HB 37, digested in the House section of today's bulletin.] To Retirement-Employment Security.

LOCAL BILLS INTRODUCED -- SENATE

None.

SENATE CALENDAR ACTION

PUBLIC BILLS

SB 8 - County ABC boards powers. Amended to apply only to Mecklenburg County; passed second and third readings.

HR 24 - (Joint Resolution) Memorializing Hutchins. Received from House; placed on calendar; passed second and third readings.

LOCAL BILLS

None.

BILLS RATIFIED

SR 6 - (Joint Resolution) Printing Governor's messages.

HR 16 - (Joint Resolution) Inauguration ceremonies appreciation.
HR 17 - (Joint Resolution) Memorializing Pritchett.
HB 21 - (Iredell) Education board appointment.
HR 23 - TV study commission.

Note: The President of the Senate, Lt. Gov. Hodges, has announced the following changes in committee assignments: Senator Weeks from Counties, Cities and Towns to Agriculture; Senator Whitley from Interstate and Federal Relations to Conservation and Development; and Senator Chapman from Agriculture to Interstate and Federal Relations.

Next session of Senate: 10:00 a.m., Friday, January 16, 1953.

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BULLETIN NO. 7
Thursday, January 15, 1953

Session: House -- 12 noon

PUBLIC BILLS INTRODUCED -- HOUSE

HR 33 - (Joint Resolution) Introduced by Gavin

"Honoring the life and services and expressing sympathy because of the death of Wiley Lee Ward, a former member of the General Assembly." [As title indicates.] Passed three readings and sent to Senate.

HB 34 - Introduced by Womble of Wake

"To amend G.S. 115-323 relating to the powers of the State Board of Education to grant educational institutions licenses to confer degrees." [Adds provision to cited section which will permit granting of licenses to confer degrees to educational institutions with adequate faculty, equipment, and instruction in "any other recognized field of learning or knowledge" in addition to arts and sciences, as presently provided.] To Education.

HB 36 - Introduced by Rodman and others

"To amend article 4 of chapter 148 of the General Statutes so as to provide for a Board of Paroles and an executive secretary thereto." [Effective July 1, 1953, replaces Paroles Commissioner with three member Board of Paroles, appointed, chairman designated, and duties assigned by Governor. Board is to serve at pleasure of and report annually to Governor, who fixes salaries subject to Advisory Budget Commission approval. Board members and employees are subject to dismissal for engaging in political activities. Majority constitutes quorum to transact business, and records are not open to public except parties satisfying Board of interest and right to inspect. Information obtained through official duties is privileged, and Board members and employees must not disclose such information to unauthorized persons. Board may appoint full time executive secretary at salary set by Governor subject to Advisory Budget Commission approval. Governor may employ clerical, secretarial, and other help, whose salaries, and salaries of parole investigators and supervisors, are to be set by Personnel Department and paid by State Highway and Public Works Commission. Parolees must be provided suitable clothing, and, if needed, transportation money to residence; they may be granted not over $25 on release. No person may be discharged from parole in less than one year, but Board may relieve parolees from reporting and permit leaving state or county.] To Judiciary 1.

HB 37 - Introduced by Edwards

"To amend the law granting coverage of governmental employees under title II of the social security act so as to provide for retroactive coverage." [G.S. Ch. 135 authorizes agreements between Federal Security Administrator and the secretary of board of trustees of Teachers' and State Employees Retirement System to extend coverage of federal survivors and old age insurance system to state employees and to employees of political subdivisions of the state. G.S. 135-21(a)(3) permits such agreements to include service performed on and after first day of year in which agreements are entered into. This act amends G.S. 135-21(a)(3) to permit inclusion of service performed after January 1, 1951, regardless of the date on which agreement was made.] To Judiciary 1.

LOCAL BILLS INTRODUCED -- HOUSE

HB 35 - (Johnston) Introduced by Thomas and Coates

"To revise and consolidate the charter of the Town of Four Oaks, North Carolina." [Revises and rewrites entire charter. Defines corporate limits of town. Grants usual corporate powers plus powers (1) to acquire more property than needed for public improvements, (2) to sell or lease such excess property with protective restrictions and to issue bonds on security of such property, (3) to operate public libraries. Provides for mayor and board of five commissioners, to be nominated and elected at large for two year terms, vacancies thereon to be filled by board. Board is to be judge of qualifications of board and mayor. Board salaries are to be fixed by ordinance to become effective during term of office following that of board passing ordinance. Provides for election of mayor pro tem, regular and special meetings of board, open sessions of board (except that executive sessions may be held on 3/5 vote of entire board), procedures for conduct of business and for introduction and passage of ordinances, effective date of ordinances (including emergency ordinances), authentication of ordinances, and publication of substance of ordinances within 10 days from passage. Gives procedure for conducting biennial municipal elections on Tuesday following first Monday in May in odd numbered years; candidates are to be nominated by petition. Authorizes appointment of necessary town officers who need not be residents at time of appointment. Duties of clerk, attorney (who shall have practiced in state at least five years), accountant, tax collector and treasurer are set forth. Other administrative provisions provide for custody of town money, purchasing procedure (all expenditures for personal services or supplies costing more than $1000 to be made by contract following competitive bidding; improvements costing more than $1000 need not be let by contract if town employees perform work), contracts extending beyond one year (not valid for more than 10 years and advance notice of passage of ordinance must be given), and independent audit. Provides for forfeiture of office where official has personal financial interest in dealing with town; such contracts made voidable.] To Counties, Cities, and Towns.

HB 38 - (Rowan) Uzzell and Barnett
"To amend G.S. 113-111, relating to fox hunting in Rowan County." [Amends cited section to permit taking and killing of foxes at any time in Rowan County.] To Wildlife Resources.

HOUSE CALENDAR ACTION

PUBLIC BILLS

HR 33 - (Joint Resolution) Memorializing Ward. Passed three readings.

LOCAL BILLS

SB 7 - (Scotland) Education board appointment. Received from Senate; sent to Education.

Next session of House: 10:00 a.m., Friday, January 16, 1953.

#

INSTITUTE OF GOVERNMENT

LEGISLATIVE SERVICE

GENERAL ASSEMBLY OF NORTH CAROLINA

DAILY BULLETIN

P. O. Box 1658 111 West Morgan St., Raleigh, N. C. Telephone 3-5515

BULLETIN NO. 8
Friday, January 16, 1953

Session: Senate -- 10:00 a.m.

PUBLIC BILLS INTRODUCED -- SENATE

SB 10 - Introduced by Larkins

"To make appropriations for permanent improvements of State institutions, departments, and agencies and construction of buildings and permanent improvements for the State." [Appropriates $9,649,193 from General Fund to construct buildings and other permanent improvements and to acquire and install equipment and acquire necessary sites at institutions and agencies listed in amounts indicated:

Educational Institutions

University of North Carolina	$ 170,000	
University of North Carolina Division of Health Affairs	230,000	
State College of Agriculture and Engineering	580,000	
Woman's College of University of North Carolina	295,000	
Agricultural Experiment Station - State College	39,500	
East Carolina College	108.360	
Negro Agricultural and Technical College	171,000	
Western Carolina Teachers College	55,000	
Appalachian State Teachers College	177,648	
Pembroke State College	10,000	
Winston-Salem Teachers College	340,000	
Elizabeth City State Teachers College	58,500	
Fayetteville State Teachers College	116,000	
State School for the Blind and Deaf	55,000	
	$ 2,406,008	Total

Charitable and Correctional Institutions

State Hospital at Raleigh	$ 2,675,875	
State Hospital at Morganton	670,000	
State Hospital at Goldsboro	136,000	
Caswell Training School	326,000	
State Hospital at Butner	1,975,810	
North Carolina Sanatorium	575,000	
Eastern North Carolina Sanatorium	65,000	
State Home and Industrial School for Girls	5,000	
State Training School for Negro Girls	5,000	
	$ 6,433,685	Total

State Departments and Agencies

Board of Public Buildings and Grounds	$ 35,000	
Medical Care Commission - For aid in construction of local health facilities	750,000	
State Commission for the Blind	24,500	
	$ 809,500	Total
GRAND TOTAL	$ 9,649,193	TOTAL

Empowers Director of Budget to make transfers between appropriations, within appropriations made to each agency, to permit changes and completion of projects described in the bill. Upon application of governing body of a spending agency of state, empowers Director of Budget by and with approval of Advisory Budget Commission to authorize transfers from appropriations, within appropriations to each agency, to provide for projects for which no specific appropriations have been made. Authorizes Governor to remove any state officer or official of any state institution, department or agency who votes for or aids in spending more money for any improvement for his institution or agency than is appropriated for such purpose. Authorizes Governor and state institutions, departments, or agencies to apply to any U. S. agency for grants in aid for permanent improvements.] To Appropriations.

SB 11 - Introduced by Larkins

"To make appropriations for the maintenance of the State's departments, bureaus, institutions, and agencies, and for other purposes." [The budget appropriation bill for the biennium 1953-55 makes appropriations from the General, Agriculture, and Highway and Public Works Funds for each fiscal year according to the following schedule:

GENERAL FUND	1953-54	1954-55	
Legislative			
General Assembly	$	$ 500,000	
		$ 500,000	Total
Judicial			
Supreme Court - justices	$ 100,800	$ 100,800	
Supreme Court - departmental expense	68,686	70,003	
Supreme Court - printing reports & reprints	25,000	25,000	
Superior Court - judges	379,034	379,034	
Superior Court - solicitors	168,000	168,000	
	$ 741,520	$ 742,837	Total
Executive and Administrative			
Governor's office	$ 450,866	$ 462,234	
Secretary of State	61,815	64,095	
State Auditor	142,880	145,213	
State Treasurer	116,905	119,870	
Department of Justice:			
Attorney General	111,917	119,526	
Bureau of Investigation	200,956	202,664	
Department of Revenue	2,171,009	2,208,542	
Department of Tax Research	49,434	55,256	
Department of Public Instruction	328,339	334,438	
Department of Archives and History	148,718	147,474	
State Library	29,718	28,162	
Library Commission	38,011	38,790	
Board of Public Welfare	269,698	277,376	
[1]State Board of Health	2,190,361	2,192,051	
Adjutant General	374,082	375,653	
Utilities Commission	233,963	237,925	
Insurance Department	232,987	239,121	
Department of Labor:			
Department of Labor	341,110	338,840	
[2]Industrial Commission	212,298	213,291	
[3]Department of Conservation & Development	1,659,502	1,667,107	

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1. Industrial Hygiene Division is required to carry out provisions of Workmen's Compensation Act relating to occupational disease work under supervision of Industrial Commission.
2. Receipts of Commission under G.S. 97-100(j) are to be deposited to credit of General Fund in view of this specific appropriation.
3. Funds appropriated to department for fire prevention and control are not to be spent in any county unless the county contributes at least 25% of cost of program.

	1953-54	1954-55	
State Board of Elections	$ 20,516	$ 21,600	
Local Government Commission	41,898	41,382	
Department of Agriculture (contribution)	789,060	771,197	
Retirement Teachers & Employees (admin.)	112,354	113,558	
Board of Public Buildings and Grounds	485,567	493,200	
State Board of Alcoholic Control	340,548	344,720	
State Commission for the Blind	709,307	716,279	
Rural Electrification Authority	61,438	62,422	
Merit System Council	28,032	27,656	
N. C. Veterans Commission	339,788	343,624	
State Recreation Commission	38,923	39,463	
Medical Care Commission - administration	107,586	109,318	
Ports Authority	80,308	81,708	
	$ 12,519,894	$12,633,755	Total
Educational Institutions			
University of North Carolina (consolidated):			
General Administration	$ 53,276	$ 53,104	
University of North Carolina	3,293,063	3,353,513	
Health Affairs Division	1,465,968	1,475,748	
Hospital	459,912	363,278	
Institute of Fisheries Research	82,569	65,769	
State College	2,503,246	2,562,453	
Woman's College	1,364,821	1,379,321	
Experiment Station - State College	1,259,948	1,290,338	
Co-op Agricultural Ext. - State College	1,687,401	1,751,561	
East Carolina College	668,335	668,163	
Negro Agricultural & Technical College	798,038	828,709	
Western Carolina Teachers College	451,908	351,990	
Appalachian State Teachers College	422,408	434,408	
Pembroke State College	103,681	105,871	
Winston-Salem Teachers College	194,622	191,822	
Elizabeth City State Teachers College	220,517	195,437	
Fayetteville State Teachers College	224,126	200,663	
North Carolina College at Durham	925,228	944,678	
[4]North Carolina School for the Deaf	773,110	571,651	
State School for Blind and Deaf:			
[4]State School for Blind and Deaf	526,546	518,282	
Blind Student Aid	2,400	2,400	
	$ 17,481,123	$17,309,159	Total
Charitable and Correctional Institutions			
State Hospitals:			
General Administration	$ 111,457	$ 111,624	
State Hospital at Raleigh	2,780,431	2,874,084	
State Hospital at Morganton	2,622,071	2,636,171	
State Hospital at Goldsboro	1,573,737	1,492,869	
Caswell Training School	1,524,443	1,397,469	
[5]State Hospital at Butner	2,170,065	2,223,725	
Mental Health Fund	38,655	38,765	
Alcoholic Rehabilitation Fund	163,038	164,413	
N. C. Orthopedic Hospital	340,864	316,864	
N. C. Sanatoria:			
N. C. Sanatorium	1,411,940	1,293,427	
Western N. C. Sanatorium	884,568	896,399	

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[4] Includes provision for cost of clothing and transportation for indigent pupils and requires counties liable under G.S. 116-118 to reimburse institution.

[5] Amounts included in this appropriation for care of feeble minded may be transferred by Director of Budget to Caswell Training School when adequate facilities are constructed for care of those temporarily handled at Butner.

	1953-54	1954-55	
Eastern N. C. Sanatorium	$ 943,056	$ 1,027,621	
Gravely Sanatorium	195,496	331,244	
Correctional Institutions:			
General Administration	21,196	21,496	
Stonewall Jackson Training School	335,021	275,056	
State Home & Industrial School (girls)	161,518	151,608	
Morrison Training School	253,207	205,088	
Eastern Carolina Training School	121,504	109,036	
State Training School for Negro Girls	88,228	87,392	
N. C. Hospital for Spastic Children	161,520	163,910	
Confederate Women's Home	47,692	48,269	
Oxford Orphanage	47,500	47,500	
Junior Order Orphanage	50,000	50,000	
[6]Oxford Colored Orphanage	62,500	62,500	
Pythian Orphanage	10,000	10,000	
Odd Fellows Home	10,000	10,000	
Alexander School, Inc.	10,000	10,000	
	$ 16,139,707	$ 16,056,530	Total
State Aid and Obligations			
Board of Public Welfare:			
Care of Dependent Children	$ 55,000	$ 55,000	
[7]Old Age Assistance	3,160,000	3,160,000	
[7]Aid to Dependent Children	1,900,000	1,900,000	
Aid to County Welfare Administration	300,000	300,000	
Aid to Permanently and Totally Disabled	430,000	430,000	
Hospitalization of Medically Indigent	125,000	125,000	
State Boarding Home for Aged & Infirm	10,000	10,000	
Board of Health for Orthopedic Clinics	6,500	6,500	
Industrial Rehabilitation	25,000	25,000	
Fugitives from Justice	6,000	6,000	
Landscrip Fund	7,500	7,500	
Firemen's Relief	1,750	1,750	
Bennett Memorial	50	50	
Confederate Museum	200	200	
Confederate Cemetery	350	350	
Retirement Teachers & State Employees - State Contribution	10,294,792	10,595,118	
State Aid to Public Libraries	414,673	414,967	
State Art Society	10,000	10,000	
North Carolina Symphony Orchestra	15,000	15,000	
State Soil Conservation Committee	10,000	10,000	
State Property Fire Insurance Fund	300,000	300,000	
Medical Care Commission:			
Indigent Care	375,000	375,000	
Student Loan Fund	75,000	125,000	
N. C. National Park, Parkway & Forests Development Commission	7,610	7,730	
Contribution to Law Enforcement Officers Benefit and Retirement Fund	6,349	6,525	
N. C. Council of Civil Defense	30,792	31,152	
	$ 17,566,566	$ 17,917,842	Total
Pensions			
Confederate Veterans and Widows	$ 143,872	$ 113,872	
Widows of Governors	6,000	6,000	
Teachers who had attained age 65 at March 10, 1943	72,000	72,000	
	$ 221,872	$ 191,872	Total

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6. To be expended under supervision of institution trustees appointed by Governor.
7. Appropriation to be reduced by the amount of any unexpended balance remaining in the appropriation for the biennium 1951-53.

	1953-54	1954-55	
Contingency and Emergency	$ 1,000,000	$ 1,000,000	
	$ 1,000,000	$ 1,000,000	Total
Public Schools			
[8]Support of Nine Months Term	$114,756,395	$116,228,709	
State Board of Education	203,956	208,000	
Vocational Education	3,338,362	3,435,680	
Purchase of Free Textbooks	2,413,522	2,194,228	
Vocational Textile Training School	42,856	43,806	
[9]Purchase of School Buses	717,591	1,977,500	
Administration of State School Plant Construction, Improvement, and Repair Fund	58,292	59,272	
	$121,530,974	$124,147,195	Total
Debt Service			
Interest on Bonds	$ 385,425	$ 344,525	
Redemption of Bonds	2,045,000	2,080,000	
Interest on Tax Anticipation Notes	25,000	25,000	
	$ 2,455,425	$ 2,449,525	Total
Salary Increases	$ 3,825,000	$ 3,825,000	
	$ 3,825,000	$ 3,825,000	Total
TOTAL APPROPRIATIONS FROM GENERAL FUND	$193,482,081	$196,773,715	TOTAL
AGRICULTURE FUND			
[10]Department of Agriculture	$ 1,051,450	$ 1,051,450	
TOTAL APPROPRIATIONS FROM AGRICULTURE FUND	$ 1,051,450	$ 1,051,450	TOTAL
HIGHWAY AND PUBLIC WORKS FUND			
Highway and Public Works			
[11,12]Administration	$ 463,248	$ 463,248	
Dept. of Motor Vehicles, Highway Patrol, Drivers License, & Safety Promotion	5,940,325	6,078,325	
[11,13,14]Maintenance of State Highways	8,750,000	8,750,000	
[11,13,14]Maintenance and/or Construction County Highways	20,000,000	20,000,000	
[11,13]Betterments State and County Highways:			
General Betterments	14,500,000	14,500,000	
Retreatments	7,800,000	7,800,000	
[11]Construction State and County Highways - To match Federal Aid	15,000,000	15,000,000	
Scenic Highways	200,000	200,000	
Maintenance of Highways in Cities & Towns	2,500,000	2,500,000	
State Aid to Municipalities	4,952,083	4,952,083	
Probation Commission	218,456	222,548	
Paroles Commission	158,189	160,003	

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9. A permanent appropriation which does not revert to General Fund at end of biennium; must be transferred to reserve account at end of each fiscal year for replacement of school buses.
10. State Fair may be operated "within its own receipts" in discretion of State Board of Agriculture.
11. If Highway Fund receipts exceed appropriations, Director of Budget may make excess available for this item.
12. Includes $3,500 for each year of biennium to pay costs of annual audits by State Auditor of SH&PWC records.
13. Director of Budget is authorized to transfer funds "to and/or from" these items.
14. Appropriations for these items include $25,000 annually for State Hospital at Raleigh and $18,000 annually for State Hospital at Goldsboro for care of criminally insane, and $21,900 annually for the N. C. Sanatorium for care of tubercular prisoners.

	1953-54	1954-55	
Bus Investigations	$ 119,377	$ 118,905	
Employer's Contribution to Retirement System . .	1,650,000	1,700,000	
Contribution to Law Enforcement Officers Benefit and Retirement Fund	50,000	50,000	
Merit Salary Increments	575,000	1,150,000	
Construction Weighing Stations	100,000	....	
Salary Increases	4,000,000	4,000,000	
	$ 86,976,678	$ 87,645,112	Total
Debt Service			
Interest on Secondary Road Bonds	$ 3,245,750	$ 2,922,063	
Redemption of Secondary Road Bonds	9,400,000	9,550,000	
	$ 12,645,750	$ 12,472,063	Total
TOTAL APPROPRIATIONS FROM HIGHWAY AND PUBLIC WORKS FUND	$ 99,622,428	$100,117,175	TOTAL
GRAND TOTAL	$294,155,959	$297,942,340	TOTAL

General Provisions: Travel allowances cover only actual expenses and must not exceed $8 per day subsistence ($11 out of state), 7¢ per mile for transportation by personal automobile and actual fare for travel in public conveyance. Compensation for members of following state boards and commissions for attendance is fixed at $8 per diem and necessary travel expenses: Advisory Budget, Education, Highway and Public Works, Alcoholic Control, Agriculture, Health, Elections, Medical Care, Hospitals Board of Control, Hospital for Treatment of Spastic Children, Correction and Training, and Directors of N. C. Sanatoria; members of all other boards and commissions (except those serving without compensation), $5 per day and necessary travel expenses.

The budget appropriations bill supplements appropriations for fiscal year 1952-53 as follows: Appropriates $13,646,901 from 1952-53 General Fund to provide 10% pay increase for full-time state employees and public school teachers for period July 1, 1952 to June 30, 1953, or for school period ending subsequent to December 1, 1952. Appropriates $4,000,000 from 1952-53 Highway Fund for similar salary increases for full-time state employees paid under Highway Fund. Pay increases for 1952-53 are not subject to deductions under provisions of Teachers' and State Employees' Retirement Fund Act. Empowers Director of Budget to raise in a similar manner salaries of personnel paid out of special operating funds if such funds necessary to meet salary increases are available or furnished by sponsoring agents. Appropriation for 1952-53 salary increases does not include increases for officials whose salaries are fixed by statute or superintendents, assistant superintendents, clinical directors, psychiatrists, staff doctors and dentists whose salaries are paid out of appropriations made to state hospitals at Raleigh, Morganton, Goldsboro, and Butner.

Creates a continuing permanent appropriation of $17,836,500 from existing General Fund balance to provide cash funds for liquidating current obligations during first six months of each ensuing fiscal year.] To Appropriations.

SR 12 - (Joint Resolution) Introduced by Larkins

"Amending House Resolution No. 23, entitled 'A Joint Resolution providing for the appointment of a commission to study and report upon the uses of the television channels allocated to the State of North Carolina for noncommercial, educational and cultural television purposes,' ratified January 15, 1953." [Deletes Sec. 6 of cited act which provides that TV study commission may meet in or out of state and hold public or private hearings with all statutory powers of a legislative committee. Substitutes new section which provides that members of TV study commission serve for a special purpose and do not hold public office within meaning of Art. XIV, Sec. 7 (double office holding) of State Constitution.] Passed three readings and sent to House.

LOCAL BILLS INTRODUCED -- SENATE

None.

SENATE CALENDAR ACTION

PUBLIC BILLS

SR 12 - (Joint Resolution) Amending TV study commission act. Passed three readings.
HR 33 - (Joint Resolution) Memorializing Ward. Received from House; placed on calendar; passed second and third readings.

LOCAL BILLS

SB 8 - (Mecklenburg) County ABC board powers. Recalled from House.

Next session of Senate: For consideration of local bills only, 9:30 a.m., Saturday, January 17, 1953.

#

BULLETIN NO. 8
Friday, January 16, 1953

Session: House -- 10:00 a.m.

PUBLIC BILLS INTRODUCED -- HOUSE

HB 42 - Introduced by Doughton
"To make appropriations for the maintenance of the State's departments, bureaus, institutions, and agencies, and for other purposes." [Identical with SB 11, digested in the Senate section of today's bulletin.] To Appropriations.

HB 43 - Introduced by Doughton
"To make appropriations for permanent improvements of State institutions, departments, and agencies and construction of buildings and permanent improvements for the State." [Identical with SB 10, digested in the Senate section of today's bulletin.] To Appropriations.

LOCAL BILLS INTRODUCED -- HOUSE

HB 39 - (Hyde) Introduced by Swindell
"To exempt Hyde County from chapter 86 of volume 20 of the General Statutes of North Carolina." [Exempts Hyde County from state law regulating barber profession, creating a Board of Barber Examiners to carry out such regulation, and setting up schedule of fees to support inspection of barber shops and schools and to finance board expenses. G.S. 86-17, which enumerates sanitary rules and regulations, requires each barber to file a health certificate with the board, and provides for sanitary inspection of barber shops and barber schools, remains applicable.] To Judiciary 1.

HB 40 - (Wayne) Introduced by Kemp
"Relating to court costs in Wayne County." [Provides that jail fees, when applicable, shall be taxed in court costs in all courts in Wayne County. Does not apply to offenses committed prior to ratification.] To Judiciary 1.

HB 41 - (Bertie) Introduced by Speight
"To exempt Bertie County from the provisions of Chapter 1096 of the Session Laws of 1951 relating to the sale of bay rum." [Ch. 1096 prohibits sale of bay rum other than to pharmacies, licensed barbers, or on doctors' prescriptions. This bill adds Bertie to the counties exempted from the Act.] To Propositions and Grievances.

HOUSE CALENDAR ACTION

PUBLIC BILLS

SR 12 - (Joint Resolution) Amending TV study commission act. Received from Senate; placed on calendar; passed second and third readings.

LOCAL BILLS

SB 8 - (Mecklenburg) County ABC board powers. Received from Senate; returned to Senate on request.

Note: The House adopted as its permanent rules the Rules of the 1951 House with the following changes and additions:
(1) A standing committee on Local Government is added, and the chairman may appoint a clerk.
(2) The Committee on Roads is designated as Committee on Roads and Highway Safety.

(3) Committees on Justices of the Peace and on Public Buildings and Grounds are transferred from the list of joint committees to the list of standing committees.
(4) The Speaker is authorized to designate more than one vice chairman per committee.
(5) House committees may reserve the right to vote separately when Senate and House committees meet jointly.
(6) The minority party leader may be assigned a committee clerk with approval of the Speaker.

Note 2: HB 18, Single county senatorial district limitation, has been withdrawn from the committee on Senatorial Districts and referred to the committee on Constitutional Amendments.

BILLS RATIFIED

HR 24 - (Joint Resolution) Memorializing Hutchins.

Next session of House: For consideration of local bills only, 10:00 a.m., Saturday, January 17, 1953.

#

INSTITUTE OF GOVERNMENT
Legislative Service

WEEKLY LEGISLATIVE SUMMARY

P. O. Box 1658 111 West Morgan St., Raleigh, N. C. January 17, 195

NOTE: This is the first of a series of weekly summaries of the work of the North Carolina General Assembly of 1953. It is confined to discussions of matters of general interest and major importance.

* * * * * * * * * * * * * * *

The 1953 General Assembly convened on January 7, hastily granted salary increases to members of the Council of State and expense account increases to the Governor before new terms of office began, witnessed the inauguration of Governor William B. Umstead on January 8, survived a slight case of jitters following the Governor's untimely illness on January 11, and now has begun to settle down to business.

The Senate organized and elected Senator Edwin Pate of Scotland County as president pro tem. As recommended by Lt. Governor Hodges, the Senate reduced the number of its committees from 36 to 28 and the number of committee clerks from 27 to 15, after which Mr. Hodges announced his committee appointments on January 14. The appointments were notable in that each senator will serve on but six committees. The House organized and elected Representative Eugene Bost of Cabarrus County as speaker. Adoption of House rules on January 16 increased the number of committees from 46 to 47, and Speaker Bost has promised his committee appointments early next week.

Governor Umstead's Inaugural Message

Public school system needs came first in Governor Umstead's inaugural message. A bond issue to aid counties in constructing adequate and equal school facilities and a 10 % salary increase, retroactive to July 1, 1952, for all public school personnel were major recommendations. Among other educational proposals, he recommended a reduction in teacher load, an increase in personnel to enforce the compulsory attendance laws, and the elimination of the shortage of elementary teachers.

Two more large money recommendations called for another bond issue to create and expand facilities for our mentally ill, and for a 10% retroactive pay increase for state employees. In sympathy with former state employees retired on pitifully inadequate pensions, the Governor asked for not less than $50 a month for those employed by the state for 20 years or more when the state retirement system was created.

As was expected, the Governor advocated a state-wide liquor referendum, declaring that the question is a moral one, not to be decided on a revenue basis.

Suggested changes in state governmental structure included (1) establishing a three-man paroles board to replace the present commissioner (a bill to accomplish this was introduced on Thursday); (2) providing for additional superior court judges; (3) increasing the number of highway divisions and commissioners from 10 to 15; and (4) redistricting for State Senate and House seats according to a constitutional mandate ignored by the 1951 General Assembly. The General Assembly was also urged to set up a commission to study state government reorganization, with particular reference to the knotty problems of divorcing the prison system from the SH&PWC and of combining the Probation and Paroles Departments.

His highway safety program centered upon a "common sense" mechanical inspection law and institution of driver training courses in all public high schools. He emphasized the need of a long range primary road building plan; prevention of road deterioration due to large commercial vehicle use; and taxation of road users in a manner more closely related to benefits received.

FCC allocation of 8 TV channels to North Carolina (which expires on June 2) for educational purposes prompted recommendation of a study commission to propose possible uses to the 1953 legislature. [A bill authorizing the Governor to appoint such a commission was ratified on January 15.]

Agriculture and labor did not assume major roles in the Governor's legislative program, but he did propose a state minimum wage law and promised to see that laws would be enforced which protect the right of citizens to go to their jobs unmolested, An expanded agricultural research program, a comprehensive forestry program, additional processing plants, and expanding market facilities were called for.

While making no concrete conservation and development proposals, the Governor did dwell upon the need for attracting new industry and more tourists, and pointed out the opportunities opened up by the Morehead City and Wilmington ports.

To finance his proposals, Mr. Umstead foresaw no new taxes but suggested that if extra revenue is needed, a revision of the sales tax exemption schedule would provide more funds.

Appropriations

Having considered requests from all state departments, institutions, and agencies for funds totaling over $753 million to cover needs during the 1953-55 biennium, the Advisory Budget Commission on Friday submitted to the General Assembly its recommendations for the expenditure of over $637 million by June 30, 1955. Designed to continue essential state services without embarking on an enlarged spending program, the biennial appropriations bill provides for spending over $592 million (about $390 million from General Fund; $2 million from Agriculture Fund: and $200 million from Highway Fund) during 1953-55. Appropriations from General Fund and Highway Fund surpluses, when added to anticipated revenues, enabled the Commission to present a balanced budget. Included in the biennial appropriations is $35 million to implement Governor Umstead's recommendation of a 10% salary increase for teachers and state employees. An additional $17.6 million is made available from current revenues to make the salary raises retroactive to July 1, 1952. One innovation is the creation from surpluses of a permanent continuing cash fund of $17.8 million to meet current state obligations at the beginning of each fiscal year. Agencies seeking additional appropriations from the House and Senate committees in the next few weeks may be expected to view this operating fund as a possible source of revenue. No recommendations for changes in the revenue laws were submitted to the General Assembly.

The Budget Commission trimmed requests for permanent improvements from about $125 million to $9.6 million which is appropriated in the permanent improvements bill. Requests approved were principally for completion of building projects already underway and preservation of state properties.

The appropriations bill contains the following provisions for the 1953-55 biennium:

	1953-54	1954-55	
Operating the General Assembly	$	$ 500,000	
The Court System	741,520	742,837	
Executive and Administrative Offices	12,519,894	12,633,755	
Educational Institutions	17,481,123	17,309,159	
Hospitals, Orphanages, Correctional Institutions	16,139,707	16,056,530	
Public Welfare	7,271,774	7,322,724	
Teachers and State Employees Retirement	10,294,792	10,595,118	
Pensions	221,872	191,872	
Contingency and Emergency Fund	1,000,000	1,000,000	
Public School System	111,800,765	114,326,083	
General Fund Debt Service	2,445,425	2,449,525	
Salary Increases - State Employees & Teachers	17,555,209	17,646,112	
Department of Agriculture	1,051,450	1,051,450	
Highways	82,976,678	83,645,112	
Highway Debt Service	12,645,750	12,472,063	
	$294,155,979	$297,942,340	TOTAL

Miscellaneous

On the first day of the 1953 session a tax relief measure (HB 4) was proposed permitting deduction of federal income taxes for state income tax purposes. In line with the Governor's message bills were introduced to provide $50 million for school construction (HB 9) and $50 minimum monthly payments to teachers and state employees retired after 20 years of service (HB 7). HB 30 provides for the renewal of driver licenses without re-examinations for most people.

BULLETIN NO. 9
Monday, January 19, 1953

Session: Senate -- 8:00 p. m.

Note
The Senate convened at 9:30 a.m., Saturday, January 17, to consider local bills only. No bills were introduced and no calendar action was taken.

PUBLIC BILLS INTRODUCED -- SENATE

None.

LOCAL BILLS INTRODUCED -- SENATE

SB 13 - (Graham) Introduced by Crawford

"To fix the compensation to be paid the jailer of Graham County for furnishing meals to prisoners and to fix the turnkey fee for such jailer." (On or after first Monday in February, 1953, provides for fee of 50¢ to be paid to county jailer by board of county commissioners for each meal furnished to any prisoner or person lawfully committed and in custody of jailer and turnkey fee of 50¢ for each prisoner or person committed. Fees are to be paid weekly or monthly in discretion of commissioners.) To Salaries and Fees.

SENATE CALENDAR ACTION

PUBLIC BILLS

None.

LOCAL BILLS

SB 8 - (Mecklenburg) County ABC board powers. Received from House; vote by which bill passed third reading reconsidered; placed on calendar.

Note: The President of the Senate, Lt. Gov. Hodges, announced appointments to the committee on University Trustees on Saturday, January 17, as follows: Rankin, chairman; Copeland, vice chairman; Currie, Edney, Hobgood, Jones, Kirkman, Larkins, Pate, Proctor, Royster, Sanford, Shuford, Weaver, Williams, Woodson.

Next session of Senate: 11:00 a.m., Tuesday, January 20, 1953.

#

BULLETIN NO. 9

Monday, January 19, 1953

NOTE

The House convened at 10:00 a.m., Saturday, January 17, to consider local bills only. No bills were introduced and no calendar action was taken in the House.

Session: House -- 7:00 p.m.

PUBLIC BILLS INTRODUCED -- HOUSE

HB 44 - Introduced by Hewlett

" To amend section 20-88 of the General Statutes relative to the issuance of "farmer" motor vehicle license plates." [Effective Jan. 1, 1954, permits growers of flower bulbs (but not nursery products) to obtain "farmer" license plates for their trucks.] To Finance.

HB 46 - Introduced by Hewlett

"To amend subsection 2 of G. S. 45-37, relating to the discharge of record of mortgages and deeds of trust." [Rewrites G. S. 45-37(2) to specify that before a register of deeds can cancel a mortgage, deed of trust or other instrument intended to secure payment of a bond or note, both the bond or note and the mortgage, deed of trust or other instrument must be presented with payment and satisfaction endorsed on each instrument by the appropriate payee, mortgagee, trustee, assignee or any chartered active banking institution in the state.] To Judiciary 1.

HB 47 - Introduced by Uzzell

"To require motor vehicles to be equipped with directional signals." [Adds G. S. 20-125.1 making it unlawful for any person to apply for or obtain registration or registration plates for any motor vehicle not equipped with mechanical or electrical turn signal devices of type approved by Motor Vehicles Commissioner. Bill applies to vehicles manufactured or assembled after Jan. 1, 1954.] To Roads and Highway Safety.

LOCAL BILLS INTRODUCED -- HOUSE

HB 45 - (New Hanover) Introduced by Hewlett

"To aid in the development of the town of Carolina Beach and to provide for a referendum to determine whether or not a tax shall be levied to provide additional funds for advertising said town." [Provides for referendum (to be held in same manner provided for municipal bond elections by Municipal Finance Act) to determine whether town may levy annually an additional tax (not more than 15¢ per $100 property valuation) to be used by governing body for advertising "and for such other purposes as will in the discretion of the governing body increase the population, taxable property, and industrial and business development of said town." Provides that this levy is to be in addition to taxes for similar purposes authorized in Ch. 975, 1945 Session Laws (2¢) and Ch. 302, 1949 Session Laws (8¢). Validity of referendum held pursuant to this act may be questioned in any court not later than 60 days from election.] To Local Government.

HOUSE CALENDAR ACTION

PUBLIC BILLS

None.

LOCAL BILLS

None.

Next session of House: 11:00 a.m., Tuesday, January 20, 1953.

#

BULLETIN NO. 10
Tuesday, January 20, 1953

Session: Senate -- 11:00 a.m.

PUBLIC BILLS INTRODUCED -- SENATE

SB 14 - Introduced by Bailey

"To repeal Chapter 1077 of the Session Laws of 1949 relating to the establishment of a communication study commission." [As title indicates; unexpended funds appropriated to commission revert to General Fund. Outstanding debts of commission are to be paid by State Treasurer.] To Judiciary 2.

LOCAL BILLS INTRODUCED -- SENATE

None.

SENATE CALENDAR ACTION

PUBLIC BILLS

None.

LOCAL BILLS

SB 8 - (Mecklenburg) County ABC board powers. Amended to clarify power of county ABC board to sell and convey property when such property is no longer needed for storage, sale and distribution of alcoholic beverages within the county; passed third reading.

Next session of Senate: 12 noon, Wednesday, January 21, 1953.

#

BULLETIN NO. 10
Tuesday, January 20, 1953

Session: House -- 11:00 a.m.

PUBLIC BILLS INTRODUCED -- HOUSE

HB 51 - Introduced by Hewlett

"To amend G.S. 97-38 and G.S. 97-40, relating to the payment of benefits and burial expenses to dependents in cases arising under the workmen's compensation act." [Rewrites G.S. 97-38 and 97-40 to make following changes:
(1) Makes clear that persons wholly dependent on deceased employee receive entire compensation payable, to be distributed share and share alike to exclusion of all others; if only one dependent, that person receives entire sum.
(2) If no person is wholly dependent, a partial dependent is entitled to percentage of compensation payable equal to percentage of annual earnings of deceased contributed to support of such partial dependent.
(3) If there are no partial dependents except children, mother, father, sister, or brother, and if all in class so elect, they may receive, share and share alike, payments provided for persons wholly dependent. Election may be made for infant by qualified guardian, or by consent of Industrial Commission, a parent or person in loco parentis. Payments to infant can be received only by qualified guardian. Such next of kin may elect to receive their payments in a lump sum.
(4) Makes clear that Canadians do not come within alien provision and provides that payment to alien of amount computed by Industrial Commission fully acquits employer and insurance carrier.
(5) Provides for lump sum payments (equal to present value of benefits payable) to child, father, mother, brother, or sister of deceased, if there are neither whole nor partial dependents. Priorities are governed by intestate distribution law for personalty.
(6) Where no next of kin or dependents survive deceased employee, money paid to Industrial Commission goes to Second Injury Fund.] To Judiciary 1.

HB 54 - Introduced by Turner and others

"To amend G.S. 105-169 so as to subject sales of farm machinery only to the wholesale rate of tax in the same manner as in the case of sales of mill machinery to manufacturing industries and plants." [Amends subsection (m) of cited section to classify sales of farm machinery, farm machinery parts and accessories as wholesale sales so as to exempt such sales from payment of retail sales tax. Effective July 1, 1953.] To Finance.

LOCAL BILLS INTRODUCED -- HOUSE

HB 48 - (Gaston) Introduced by Bryant

"To authorize the expenditure of certain surplus funds of Gaston County for the purpose of renovating and enlarging the county courthouse and the county jail and to construct additional county buildings." [Authorizes commissioners to expend surpluses remaining June 30, 1952, from general, poor, debt, social security, and school budget tax surplus funds to renovate and expand courthouse and jail, and to construct health center and public school office building. Provisions declared severable.] To Local Government.

HB 49 - (Hoke) Introduced by Greene

"To amend the law relating to public drunkenness in Hoke County." [Adds Hoke to counties included in G.S. 14-335 under which public drunkenness is misdemeanor, punishable by fine not over $50 or imprisonment not over 30 days.] To Judiciary 2.

HB 50 - (Hoke) Introduced by Greene

"To provide for the appointment of a vice recorder for the recorder's court of Hoke County." [Authorizes county commissioners to appoint vice recorder for present recorder's court, with same jurisdiction as recorder when recorder is temporarily absent. Vice recorder's compensation, when acting, is to be same as recorder and is to be deducted from recorder's salary. Vice recorder's term expires with present recorder's term, and subsequent appointments are to be for same term as recorder is elected.] To Judiciary 2.

HB 52 - (Rockingham) Introduced by Powell

"To authorize the board of education of Rockingham County to convey certain land to the board of trustees of the Madison city school administrative unit to be used as a site for a school building." [As title indicates; land involved is described.] To Local Government.

HB 53 - (Rockingham) Introduced by Powell

"To authorize the board of commissioners of Rockingham County to fix all official fees to be charged and collected by the clerk of the superior court of said county and by the register of deeds of said county." [Empowers county commissioners to fix fees to be charged by CSC and register of deeds for each official act for which a fee is allowed by law. Changes in fees become effective when a list of fees fixed by commissioners is filed with clerk and register. Fees presently in effect are to be charged and collected until changed by commissioners.] To Salaries and Fees.

HB 55 - (Orange) Introduced by Umstead

"Relating to trial by jury in the mayor's court of Carrboro in Orange County." [Prohibits right of trial by jury in any proceedings, civil or criminal, in mayor's court of Carrboro.] To Judiciary 2.

HOUSE CALENDAR ACTION

PUBLIC BILLS

None.

LOCAL BILLS

HB 5 - (Scotland) Laurinburg property sale. Reported favorably.
HB 14- (Haywood) Clyde election date. Reported favorably.
HB 15- (Rowan) JP fees. Reported favorably.
HB 19- (Polk) Tryon ABC officer jurisdiction. Reported favorably.
HB 22- (Rowan) Salisbury police desk warrants. Reported favorably.
HB 40- (Wayne) Court costs. Reported favorably.

Note: The Speaker of the House, Eugene Bost, announced clarifications of the following committee assignments: Agriculture, Clark of Bladen; Commissions and Institutions for the Blind, Floyd of Columbus; and Roads and Highway Safety, Allen of Granville.

Next session of House: 12 noon, Wednesday, January 21, 1953.

#

INSTITUTE OF GOVERNMENT

LEGISLATIVE SERVICE

GENERAL ASSEMBLY OF NORTH CAROLINA

DAILY BULLETIN

P. O. Box 1658 111 West Morgan St., Raleigh, N. C. Telephone 3-5515

BULLETIN NO. 11
Wednesday, January 21, 1953

Session: Senate -- 12 noon

PUBLIC BILLS INTRODUCED -- SENATE

SB 15 - Introduced by Hobgood and Whitley

"To amend G.S. 20-179 relating to the penalty for driving while under the influence of intoxicating liquor or narcotic drugs." [Effective July 1, 1953, rewrites cited section to change penalties for driving under influence of liquor or narcotic drugs as follows: (1) for second offense, from $200 minimum fine, or minimum imprisonment of 6 months, or both, to imprisonment from 60 days to 6 months; (2) for third offense, from $500 minimum fine, or both such fine and imprisonment in discretion of court, to imprisonment from 6 months to 2 years.] To Judiciary 1.

SB 16 - Introduced by Sanford

"To amend the adoption law so that illegitimate children will be considered as step-children for the purpose of expediting the signing and entries of final orders of adoption." [To effect purpose cited in title, adds subsection (5) to G.S. 48-2, relating to definitions used in G.S. Ch. 48 (Adoption of minors), to define "step-child" as the child of one spouse by a former union, whether such child is legitimate or illegitimate.] To Public Welfare.

SB 17 - Introduced by Sanford

"To exempt members of the armed forces of the United States on active duty from jury service." [Amends G.S. 9-19 to accomplish purpose indicated in title.] To Judiciary 1.

LOCAL BILLS INTRODUCED -- SENATE

None.

SENATE CALENDAR ACTION

PUBLIC BILLS

None.

LOCAL BILLS

None.

Next session of Senate: 12 noon, Thursday, January 22, 1953.

#

BULLETIN NO. 11
Wednesday, January 21, 1953

Session: House -- 12 noon

PUBLIC BILLS INTRODUCED -- HOUSE

HB 57 - Introduced by Whitmire

"To amend G.S. 147-58, relating to the duty of the state auditor in issuing warrants." [Authorizes Auditor to use facsimile signature machine to sign warrants, and directs him to secure insurance and/or bond of not less than $25,000 to protect state against misuse of machine.] To Finance.

HB 58 - Introduced by Allen of Granville

"To amend Chapter 119, Private Laws of 1923, and to incorporate Oxford Orphanage." [Rewrites cited act to make following changes: (1) recites present orphanage directors instead of 1923 directors; (2) permits acting Grand Master of N. C. Masonic Lodge to act as chairman of directors when appropriate; (3) provides for election of president and vice president by directors; (4) inserts section giving N. C. Masonic Lodge power to prescribe manner of election, term of office, and qualifications of directors it may appoint and manner of filling vacancies.] To Judiciary 2.

HB 62 - Introduced by Warren

"To amend G.S. 20-120 relating to the hauling of tobacco in hogsheads on flat trucks so as to require the same to be securely fastened by metal chains or wire cables, and to increase the punishment for violation." [Eliminates permissive use of tarpaulin or manila or hemp rope for securing tobacco hogsheads on flat trucks, and requires either metal chains or wire cables therefor. Increases punishment for violation from not more than $50 or 30 days imprisonment to not more than $500 or 60 days, or both.] To Roads and Highway Safety.

LOCAL BILLS INTRODUCED -- HOUSE

HB 56 - (Guilford) Introduced by Turner, Crissman, Hunt and Shreve

"To amend Chapter 700 of the 1947 Session Laws of North Carolina, being the charter of the town of Jamestown." [Amends Art. 4, Sec. 2 of cited chapter to provide for nomination of not more than 8 candidates for councilman and not more than 2 candidates for mayor. Present law calls for nomination of 4 candidates for councilman and 1 for mayor. Amends Art. 4, Sec. 3 to make primary unnecessary if no more than revised numbers of candidates file.] To Local Government.

HB 59 - (Caswell) Introduced by Warren

"To repeal Chapter 753 of the Session Laws of 1947 and Chapter 224 of the Public-Local laws of 1927 relating to compensation and mileage fees for jurors in Caswell County." [Repeals cited sections which set compensation of jurors at $3 per day and travel allowance at 5¢ per mile, and makes county subject to G.S. 9-5, permitting county commissioners to fix compensation between $3 and $8 per day and setting travel allowance at 5¢ per mile. Effective July 1, 1953.] To Local Government.

HB 60 - (Caswell) Introduced by Warren

"To amend Section 3 of Chapter 265 of the Session Laws of 1949, relating to the jury in the recorder's court of Caswell County." [Amends cited section to change from 8 to 14 number of jurors drawn and summoned by sheriff for duty in recorder's court.] To Judiciary 2.

HB 61 - (Caswell) Introduced by Warren

"Repealing Section 4 of Chapter 407 of the Session Laws of 1947 and to rewrite Section 6, Chapter 402 of the Public-Local Laws of 1939 relating to the recorder's court of Caswell County." [Repeals Ch. 103, 1937 Public-Local Laws, providing for creation of recorder's court and fixing judge's salary at $100 per month. Repeals Ch. 407, Sec. 4, 1947 Session Laws, fixing salaries of recorder's court judge and solicitor at $100 per month. Amends Ch. 402, Sec. 6, 1939 Public-Local Laws, to permit county commissioners to fix salaries of recorder's court judge and solicitor at not more than $150 and not less than $125 per month. Effective July 1, 1953.] To Judiciary 2.

HB 63 - (Rowan) Introduced by Barnett and Uzzell

"To amend sections 161 and 169 of Chapter 106 of the General Statutes of North Carolina relating to meat inspection to apply to the County of Rowan and the City of Salisbury only." [Amends G.S. 106-161 and 169, which authorize cities and counties to inspect meat and meat products within their respective boundaries, by authorizing cited city and county to jointly provide for inspection of meat and meat products in Salisbury. Provides for appointment and removal of inspector, who must be graduate licensed veterinarian, by county health officer subject to approval of city council. Inspector is to be under supervision of county health officer but paid by city. County, in discretion of county commissioners, may appropriate funds to city for this purpose.] To Agriculture.

HOUSE CALENDAR ACTION

PUBLIC BILLS

None.

LOCAL BILLS

HB 5 - (Scotland) Laurinburg property sale. Passed second and third readings.
HB 14 - (Haywood) Clyde election date. Passed second and third readings.
HB 15 - (Rowan) JP fees. Passed second and third readings.
HB 19 - (Hoke) Tryon ABC officer jurisdiction. Passed second and third readings.
HB 22 - (Rowan) Salisbury police desk warrants. Passed second and third readings.
HB 40 - (Wayne) Court costs. Passed second and third readings.

Next session of House: 12 noon, Thursday, January 22, 1953.

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INSTITUTE OF GOVERNMENT

LEGISLATIVE SERVICE

GENERAL ASSEMBLY OF NORTH CAROLINA

DAILY BULLETIN

P. O. Box 111 West Morgan St., Raleigh, N. C. Telephone

BULLETIN NO. 12
Thursday, January 22, 1953

Session: Senate -- 12 noon

PUBLIC BILLS INTRODUCED -- SENATE

SB 19 - Introduced by Whitley and Hobgood

"To amend G.S. 20-141 and G.S. 20-180 so as to provide minimum penalties for reckless driving." [Rewrites G.S. 20-180, which relates to the penalty for both speeding and reckless driving, to provide a penalty for reckless driving only. Changes offense of reckless driving from misdemeanor punishable under G.S. 20-176 by fine up to $100 or imprisonment up to 60 days, or both, to misdemeanor punishable by specified minimum penalties as follow: first offense, $50 minimum fine or imprisonment, or both, in discretion of court; second or subsequent offense within 2 years, $100 minimum fine or imprisonment, or both, in discretion of court. Rewrites G.S. 20-141(j), relating to penalty for speeding, to eliminate reference to G.S. 20-180 and to provide that speeding offense is a misdemeanor punishable by fine or imprisonment, or both, in discretion of court instead of a misdemeanor punishable under G.S. 20-176 by fine up to $100 or imprisonment up to 60 days, or both, as at present.] To Judiciary 1.

SB 20 - Introduced by Crawford

"To provide teachers and principals of the public schools of the state a period of fourteen working days sick leave with pay." [Rewrites G.S. 115-370, which relates to workmen's compensation and sick leave for teachers, to direct State Board of Education to make provision for sick leave with pay for school teachers and principals instead of authorizing the board, in its discretion, to make such provisions as at present. Provides for sick leave with pay for period of 14 days during school year and when school is in session instead of for period not to exceed 5 days as at present. To Education.

SB 21 - Introduced by Crawford

"To extend the right of suffrage to eligible persons eighteen years of age." [Submits to people at next general election the question whether Art. VI, sec. 1 of Constitution shall be amended to extend age qualification for voting at any election in the State from 21 to 18 years of age.] To Election Laws and Senatorial Districts.

SB 22 - Introduced by Crawford

"To amend Article X, section 1, of the Constitution so as to authorize garnishment up to ten per cent of salaries and wages of a debtor." [Submits to people at next general election the question whether cited amendment shall be adopted. Art. X, sec.1 of Constitution exempts personal property, to the value of $500, from final court orders issued for collection of any debt. Cited amendment provides that up to 10% of debtor's earnings may be garnished even though such earnings are within this personal property exemption.] To Judiciary 2.

SB 23 - Introduced by Crawford

"Rewriting G.S. 1-362 relating to property of a debtor which may be applied to the satisfaction of a judgement." [Rewrites cited section to remove provision exempting from seizure all personal earnings of a debtor for period of 60 days prior to court order when it appears that debtor's earnings partly or wholly support a family; inserts provision permitting court to apply only 10% of debtor's personal earnings to satisfaction of judgment when it appears that these earnings partly or wholly support a family.] To Judiciary 2.

SB 24 - Introduced by Weeks

"To re-write G.S. 15-200.1." [Rewrites cited section, dealing with appeals from invocation of suspended sentence in court inferior to superior court, to make section apply to defendants on probation. On appeal by defendant on probation, superior court may consider only whether or not there has been a violation of the terms of probation. Adds provision permitting defendant, in all cases, to make bond for appearance in superior court.] To Judiciary 1.

SB 26 - Introduced by Barnhardt

"To amend the General Statutes relating to the execution, revocation and probate of wills." [Rewrites G.S. 31-1 to include married women among those qualified to make a will, eliminating the necessity for G.S. 31-2 which is repealed. Amends G.S. 52-8 relating to a married woman's capacity to make a will to include an age requirement of 21 years to conform with G.S. 31-1. Rewrites G.S. 31-3, relating to execution of wills, expanding it to include separate sections relating to necessity for compliance with statutory requirements, definitions of kinds of wills (attested written, holographic, and nuncupative), requirements of each kind of will, and non-necessity for a seal. Rewrites Art. 2 (G.S. 31-5 to 31-8), relating to revocation of wills, expanding and renumbering the sections to include separate provisions relating to revocation of written wills and nuncupative wills, revocation by divorce and marriage, and effect of changes in circumstances. Rewrites G.S. 31-45, relating to effect on will of after-born child, to incorporate section in Art. 2 as G.S. 31-5.5 and to make section inapplicable to adopted children. Adds new section, G.S. 31-5.8, to provide that a revoked will can be revived only by a re-execution or by being incorporated by reference in another will. Rewrites G.S. 31-10 to provide that a beneficiary witnessing a will and spouse, and those claiming under beneficiary, can take nothing under the will unless there are at least two other witnesses who are disinterested. Amends G.S. 31-18 by rewriting and amplifying it to include detailed provisions for the probate of attested written wills, holographic wills, and nuncupative wills. Provides that execution of a will may be established, when testimony of attesting witnesses and proof of handwriting of testator and attesting witnesses is lacking or inadequate, by testimony of other competent witnesses as to requisite facts. When written notice of probate of a nuncupative will cannot be given to surviving spouse or next of kin, provides for publication of notice for four consecutive weeks instead of for six weeks as at present. Renumbers G.S. 31-26 relating to probate of wills of members of armed forces to incorporate it into the amplified probate section as G.S. 31-18.4. Adds a new section, G.S. 31-45.1, declaring a will valid which meets applicable provisions of the law in effect either at time of execution or at death of testator. Adds a new section, G.S. 31-8.1, providing that any person competent to be a witness generally may witness a will. Does not invalidate any will executed or probated prior to July 1, 1953, and does not apply to pending litigation. Effective July 1, 1953.] To Judiciary 1.

SB 27 - Introduced by Barnhardt

"To provide for instruments to secure future advances and future obligations." [Adds Art. 6 to G.S. Ch. 45, to provide an additional method for use of mortgages, deeds of trust and other instruments to secure future advances or obligations. Provisions of article are applicable only to instruments drawn in compliance with its requirements. Such instruments showing on their face that making of future advances is obligatory have same priority as if all advances had been made when instrument was executed. Such instruments not showing such obligation on their face have like priority except that future advances do not take priority following notice over intervening perfected lien after written notice of such perfection to security holder. Payments authorized by instrument and made by secured creditor for insurance, taxes, assessments, or other expenditures necessary for preservation of the security have same priority as if all advances had been made when instrument was executed. Requires security instrument to show: (1) that it is given to secure obligations not yet wholly incurred; (2) maximum amount secured and securable; (3) period (not more than 5 years) within which obligations may be incurred; and (4) date by which future obligations must become payable. Obligations to be secured by such instruments must (1) be in writing; (2) be signed by obligor; (3) stipulate security arrangement. Amount date and due date of obligations must be noted by holder on security instrument. Security instruments may provide that on payment of any obligation secured, further obligations may be secured by same instrument to become due before time limit fixed, provided aggregate amount unpaid at one time does not exceed maximum amount fixed. Upon payment of any obligation secured by an instrument conforming to this article, the holder of the obligation must date, sign, and acknowledge such payment in writing thereon. The security instrument holder, when shown the evidence of indebtedness marked paid in this manner, and on written demand, must make entry of payment, dated and signed, on the security instrument. When all obligations secured by the instrument are paid, and written demand made, security instrument holder must make written entry, signed and dated, of satisfaction on the instrument. Such instruments which have been registered may be released of record as provided by G.S. 45-37. Also amends G.S. 45-37 to provide that only evidences of obligation as are described in the body and required to be noted on the security instrument, must be presented for discharge. Effective July 1, 1953.] To Judiciary 1.

SB 28 - Introduced by Barnhardt

"To amend the statutes relating to the registration of mortgages." [Clarifies G.S. 47-20 providing that mortgages, deeds of trust, and conditional sales contracts are valid as against subsequent takers only from time of registration, and adds G.S. 47-20.1, 47-20.2, and 47-20.3 to specify places where such instruments must be registered, as follows: (A) Instruments dealing solely with real property must be registered in each county where land is located. (B) Instruments dealing solely with personal property must be registered as follows: ("mortgagor" as used in this section includes grantor of a deed of trust and vendee in a conditional sales contract. Locations of residences and sites are fixed as of time instrument involved is executed.) (1) If mortgagor is an individual resident of this state, in county where he resides. (2) If mortgagor is non resident individual, in each county where tangible property is located; if chose in action is involved, in county where mortgagor's place of business is located and where chose in action was created. (3) If mortgagor is partnership or domestic or foreign corporation (a) which has its principal place of business in state, in county where such place is located; (b) which has only secondary places of business within state, in every county where any such place is located; (c) which has no place of business in state, in every county in which a partner resides; and (d) which has no place of business in state, no partners residing in state, and no principal office shown in its certificate of incorporation, legislative charter, or statement of domestication, in each county where any of the mortgaged property is located. (C) Instruments dealing with both real and personal property must be registered pursuant to both real property requirements and personal property requirements, and indexed in records designated for the particular property involved. Repeals G.S. 47-23, dealing with registration of conditional sales contracts. Amends G.S. 59-2 to require filing of limited partnership certificate in county where principal place of business is located, and adds subsection (3) requiring copy of such certificate to be filed with Secretary of State and indexed by him as public record. Adds G.S. 59-35.1 authorizing Secretary of State to file as public record sworn statements forwarded to him by partnerships doing business within state designating location of their principal place of business. Effective January 1, 1954.] To Judiciary 1.

SB 29 - Introduced by Barnhardt

"To provide a method for establishing deposit accounts in banks and other depository institutions as co-owners with right of survivorship." [Adds new section, G.S. 41-2.1, permitting establishment of joint bank accounts with right of survivorship when based upon contract containing substantially terms set out in section, between co-owners. Agreement must be delivered to and accepted by bank to be binding. Provides (1) a rebuttable presumption that co-owners own equal shares during life; (2) a method of terminating account; (3) that either co-owner may withdraw all or part of account; (4) that upon death of co-owner balance becomes property of survivor, not subject to claims against deceased co-owner but subject to retention by bank, under provisions of G.S. 105-24, for payment of inheritance taxes; (5) that section is subject to law applicable to transfers in fraud of creditors; (6) that provisions of G.S. 41-2, relating to survivorship in joint tenancy, and of G.S. 52-12, relating to contracts of wife with husband, do not apply to contracts made pursuant to section. Effective July 1, 1953.] To Judiciary 1.

SB 30 - Introduced by Barnhardt

"Relating to the attachment and garnishment of the contents of safe deposit boxes." [Amends G.S. 1-440.23 to permit a summons to be served upon a garnishee having under his control, with power to prevent access by the defendant to its contents, a safe deposit box or locked receptacle. Amends G.S. 1-440.24 to permit notice of levy to be served upon a garnishee having such a box or receptacle in his possession or custody. Amends G.S. 1-440.25 to provide that procedure for levying on contents of such box or receptacle shall be same as used in any other garnishment, except that if levying officer does not obtain access to such box or receptacle within seven days because garnishee or defendant refuses to cooperate, levying officer may, upon advancement of costs by plaintiff, gain access by "any reasonable means" and, upon delivery of receipt to garnishee, take possession of contents subject to levy. Does not apply to pending proceedings. Effective July 1, 1953.] To Judiciary 1.

SB 31 - Introduced by Barnhardt

"To clarify the law with respect to incorporation of documents in wills by reference." [Permits incorporation in written will of any document which (1) exists when will is executed; (2) is referred to in will as existing; (3) is reasonably identified in the will. Will must clearly indicate an intention to incorporate the document therein. Permits incorporation whether or not the document (1) is executed by the testator; (2) is executed and attested as a will; (3) is a valid instrument in and of itself; (4) is in the handwriting of the testator; or (5) is present at the time of execution of the will. Probate is not required of any irrelevant portion of such documents nor of any such document on file or recorded in the office of any register of deeds or clerk of the superior court in this state. Does not apply to pending litigation. Effective July 1, 1953.] To Judiciary 1.

SB 32 - Introduced by Barnhardt

"To provide for the registration of mortgages, deeds of trust and conditional sales contracts of personal property which is affixed to real property." [Adds G.S. 47-20.4 to provide (a) that correct registration of a mortgage, deed of trust, or conditional sale contract of any personal property is effective with respect to claims against the personal property even though the property is subsequently affixed to real property; and (b) that when personal property is so affixed to real property as to be incapable of removal without material injury to the real property, and when it could reasonably be foreseen that the personal property would be so affixed, a mortgage, deed of trust, or conditional sale contract dealing with such personal property is effective as to claims against the real property only if the instrument is registered in the county where the real property is located and indexed in the same manner as an encumbrance on the real property. Effective January 1, 1954.] To Judiciary 1.

SB 33 - Introduced by Barnhardt
"To clarify the methods of proving service of summons and service by publication." [Rewrites G.S. 1-102. Proof of service of summons within state and outside the state treated separately. Service of summons within state may be proved by (1) written return of officer showing personal service; (2) acceptance of service in writing by party to be served; (3) admission in writing of party of service on him. Service of summons outside state may be proved by (1) written return of process officer, as set out in G.S. 1-104; (2) written admission or acceptance of service by party to be served, if properly acknowledged before one of officials named in G.S. 47-2. If admission or acceptance contains express submission to jurisdiction of trial court, it constitutes general appearance. (Prior provisions of section are clarified to distinguish accpetances and admissions; provision requiring acknowledgment of acceptance is deleted for summons served in state; and manner of accepting or admitting service so as to make general appearance is clarified.) Retains provision for proof of service by publication to be made by affidavit of publication. Effective July 1, 1953.] To Judiciary 1.

SB 34 - Introduced by Barnhardt
"To clarify G.S. 75-5, relating to unfair trade practices." [Rewrites cited section to simplify complicated language without changing the meaning of the original enactment. Effective July 1, 1953.] To Judiciary 1.

SB 35 - Introduced by Barnhardt
"Relating to the running of the statute of limitations after an unauthorized act, admission or acknowledgment of a co-obligor, guarantor or partner." [Rewrites and clarifies G.S. 1-27 to provide that any action of a party to a joint obligation upon which a cause of action has arisen, which removes the bar of the statute of limitations or causes the statute to run again, does not renew or extend liability against other parties to the joint obligation unless such parties have authorized or ratified that action. The rights and obligations of partnerships are expressly excluded from the provisions of this section. Adds G.S. 59-39.1 to provide that any action of a partner which removes the bar of the statute of limitations or causes the statute to run again on any cause of action which has accrued on a partnership obligation, has such effect with respect to all of the partners and to partnership liability only when the partner who commits such action does so with the authority of his partners or when his action is ratified by them. Effective July 1, 1953.] To Judiciary 1.

SB 36 - Introduced by Barnhardt
"To amend Chapter 59 of the General Statutes to provide that partners are jointly and severally liable for the acts and obligations of the partnership." [Rewrites G.S. 59-45, which makes all partners jointly and severally liable for acts of the partnership but jointly liable for debts and obligations, to provide that all partners are jointly and severally liable both for partnership acts and for partnership obligations. Effective July 1, 1953.] To Judiciary 1.

SB 37 - Introduced by Barnhardt
"To amend G.S. 29-1 relating to rules of descent, so as to make uniform the rules relating to determination of heirs and next of kin." [Changes method of computing degrees of kinship in all cases from rules prevailing in descents at common law to civil law rule set out in G.S. Ch. 104A. Not applicable for determining rights to real property of person who has died prior to effective date, July 1, 1953.] To Judiciary 1.

SB 38 - Introduced by Barnhardt

"To prescribe what persons may administer oaths of office." [Adds G.S. 11-7.1 to authorize the following to administer oaths of office: (1) justices of the Supreme Court; (2) Supreme Court clerk; (3) Secretary of State; (4) superior court judges whether or not commissioned to hold a term of court; (5) superior court clerks, assistant or deputy clerks; (6) inferior court judges; (7) inferior court clerks; (8) justices of the peace; and (9) notaries public. Effective July 1, 1953.] To Judiciary 1

SB 39 - Introduced by Barnhardt

"To amend G.S. 28-16 by reducing from sixty days to thirty days the period after which an executor may be cited to show cause why he should not be deemed to have renounced." [Rewrites first sentence of cited statute to provide change indicate in title when one executor appointed by will (or all if more than one appointed) fails to qualify or renounces within 30 days after probate. Adds power in CSC to cite on own motion. Applies only to wills admitted to probate after July 1, 1953.] To Judiciary 1.

SB 40 - Introduced by Barnhardt

"To provide for the confirmation and impeachment of commissioners' reports of the partition of personal property." [Adds G.S. 46-43.1 to provide for confirmation of report of commissioners making partition of personal property held by tenants in common or by joint tenants if no exception is filed within ten days. After confirmation, any party may, by petition in the cause, impeach the proceeding for mistake, fraud or collusion but such impeachment does not affect innocent purchasers for full value and without notice. Effective July 1, 1953.] To Judiciary 1.

SB 41 - Introduced by Barnhardt

"To amend the laws relating to proof of attested instruments by subscribing witnesses." [Amends Sec. 1, Ch. 379, 1951 Session Laws, which permits proof of attested document by subscribing witness, to require such witness to swear that maker signed in his presence or acknowledged execution. Amends Sec. 2, Ch. 379, 1951 Session Laws to require person taking proof of an attested instrument to execute a certificate on (or attached to) such instrument, substantially in form set out in G.S. 47-43.2, 47-43.3, and 47-43.4. Changes form set out in G.S. 47-43.2 to conform with the new requirements. Amends G.S. 47-41 by rewriting form provided for proof of an attested document by a subscribing witness to conform with the new requirements. Does not apply to pending litigation. Effective July 1, 1953.] To Judiciary 1.

SB 42 - Introduced by Barnhardt

"To amend Chapter 1 of the General Statutes relating to service of process by publication and service of process outside the state." [Rewrites G.S. 1-98 and 1-99. Defines term "process". States in detail (1) when service of process by publication and service of process outside state are allowed; (2) in what actions and proceedings allowed; and (3) on whom such service is allowed. Lists in detail requirements for an affidavit or verified pleading for service of process by publication or service of process outside state on natural persons, corporations, businesses operating under names indicating they are legal entities, and unknown persons. Sets out form for order for such type service. Sets out requirements for and form of notice of service of process by publication. Provides that costs of publishing such notice shall be governed by G.S. 1-596. Amends G.S. 1-100 to provide that party shall have the time to answer provided in G.S. 1-125. Amends G.S. 1-104 to specify the process and pleadings to be sent outside state for service and the form of return for the process officer. Amends G.S. 1-125 to provide a date for filing defense after service by publication. Effective July 1, 1953.] To Judiciary 1.

LOCAL BILLS INTRODUCED -- SENATE

SB 18 - (Person) Introduced by Long

"To give authority to the police officers of Roxboro, Person County, to pursue and arrest persons charged with the commission of crime in said town beyond its borders." [Authorizes any Roxboro police officer, with or without process, to pursue beyond city limits and to any point within Person County any persons, whether or not in sight, who are charged with a crime committed in Roxboro in presence of pursuing officer. Authorizes arrests of such persons anywhere within county.] To Judiciary 2.

SB 25 - (Edgecombe) Introduced by Weeks

"To rewrite Section 1, Chapter 275, Public Local Laws of 1941 relative to the issuance of warrants in the trial justice court of the town of Tarboro in Edgecombe County." [Amends cited chapter by rewriting Sec. 4 1/2 to make clear that power of Tarboro chief of police and desk sergeant to issue warrants, orders of arrest, and to administer oaths to complainants applies to offenses coming within jurisdiction of Tarboro trial justice court and which are to be tried by such court. Does not apply to pending litigation.] Passed three readings and sent to House.

SENATE CALENDAR ACTION

PUBLIC BILLS

None.

LOCAL BILLS

SB 25 - (Edgecombe) Tarboro desk sergeant jurisdiction. Passed three readings.

HB 5 - (Scotland) Laurinburg property sale. Received from House; sent to Counties, Cities, and Towns.
HB 14 - (Haywood) Clyde election date. Received from House; sent to Counties, Cities, and Towns.
HB 15 - (Rowan) JP fees. Received from House; sent to Judiciary 2.
HB 19 - (Polk) Tryon ABC officer jurisdiction. Received from House; sent to Judiciary 2.
HB 22 - (Rowan) Salisbury police desk warrants. Received from House; sent to Judiciary 2.
HB 40 - (Wayne) Court costs. Received from House; sent to Judiciary 2.

BILLS RATIFIED

SR 12 - (Joint Resolution) Amending TV study commission act.

HR 33 - (Joint Resolution) Memorializing Ward.

Next session of Senate: 10:30 a.m., Friday, January 23, 1953.

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BULLETIN NO. 12
Thursday, January 22, 1953

Session: House -- 12 noon

PUBLIC BILLS INTRODUCED -- HOUSE

HR 64 - (Joint Resolution) Introduced by Woodard

"Of sympathy and respect relative to the death of Honorable Henry Russell Harris, a former representative of Northampton County." [As title indicates.] Passed second reading and placed on calendar for tomorrow.

HB 69 - Introduced by Regan and White of Lenoir

"To amend G.S. 20-28, relating to the operation of motor vehicles after an operator's or chauffeur's license has been suspended or revoked." [Makes action of motor vehicles department discretionary instead of mandatory, where department suspends or revokes for an additional period an operator's or chauffeur's license for driving after the license has been suspended or revoked.] To Judiciary 1.

HB 74 - Introduced by Rodman

"Adopting Volumes 3A, 3B, and 3C of the General Statutes." [Re-enacts G.S. 106-1 through G.S. 166-13, now contained in Volume 3 of N. C. General Statutes, as contained in re-designated Volumes 3A, 3B, and 3C. Enactment does not include appended annotations and references supplemental to actual legislation.] To Judiciary 1.

LOCAL BILLS INTRODUCED -- HOUSE

HB 65 - (Davidson) Introduced by Philpott

"To amend Chapter 22 of the Private Laws of 1935 relating to the utilities commission of the city of Lexington." [Amends cited chapter, which established the utilities commission, to include control and supervision of gas distribution system within duties of commission, and to provide that revenues from utilities against which revenue bonds have been issued be kept separate and disbursed as provided in resolution of town commissioners authorizing such bonds.] To Local Government.

HB 66 - (Davidson) Introduced by Philpott

"To repeal that part of Chapter 610 of the Session Laws of 1951 relating to the prepayment of taxes insofar as said chapter applies to the city of Lexington." [Amends cited chapter (which exempts Lexington and Davidson from provisions of G.S. 105-345(6) setting up discounts for prepayment of taxes ranging from 2% on payments made on or before July 1, to 1% on payments during August and September) by striking therefrom exemption of Lexington.] To Local Government.

HB 67 - (Robeson) Introduced by Regan and Floyd

"To amend Chapter 79 of the Session Laws of 1951 relating to the prepayment of taxes to Robeson County." [Amends Sec. 1, Ch. 79, 1951 Session Laws to authorize 1% deduction for payment of taxes prior to September, and to raise authorized deduction for payment during October from 1/2 of 1% to discretionary figure of "1/2 to 1%."] To Local Government.

HB 68 - (Robeson) Introduced by Regan and Floyd

"Validating sales of land for taxes in the county of Robeson and municipalities therein made during the years of 1951 and 1952, and confirming settlements and adjustments of taxes heretofore made by the governing body of Robeson County and the governing bodies of the municipalities therein." [Validates tax sales and certificates of sale issued pursuant thereto made by tax collector of county or any municipality or taxing district in county during 1951 and 1952 on a date different from date prescribed by law. Validates all settlements and adjustments of taxes heretofore made by county commissioners or governing boards of municipalities in county. Effective July 1, 1953.] To Local Government.

HB 70 - (Martin) Introduced by Corey

"To amend the charter of the town of Oak City in Martin County, so as to provide for the holding of a primary for the nomination of candidates for the municipal election, and to amend Chapter 100 of the Private Laws of 1891 relating to the time for holding elections and the term of office of the mayor and commissioners of said town." [Amends Secs. 3 & 4, Ch. 100,1891 Private Laws to increase the number of commissioners from 3 to 5; to authorize appointment of town clerk and treasurer; to eliminate the office of town constable; and to require biennial, rather than annual, elections for mayor and commissioners. Provides that general municipal elections shall be held under election laws contained in G.S. Ch. 160, Art. 3. Provides for holding primary election on fourth Monday preceding general election to select party nominees. Election officers appointed for general election also serve in primary. Candidates must file notice of candidacy with town clerk at least ten days prior to primary, and pay filing fee of $5. Clerk is directed to post names of candidates at town hall, to prepare ballots following last day for filing, and to canvass returns on day following election. Judges file returns with clerk within six hours after closing of polls. Candidate receiving highest number of votes for mayor and five leading candidates for commissioners become nominees for their party. If only one candidate for mayor and five or less candidates for commissioners file from a single party, no primary election need be held for that party.] To Counties, Cities and Towns.

HB 71 - (Mecklenburg) Introduced by O'Herron, Gillette, Goodman, and Hicks

"To postpone the collection of street and sidewalk assessments levied by the City of Charlotte against the property used by the Thompson Orphanage and Training Institution in the City of Charlotte for orphanage purposes." [Directs city to postpone collection of all existing assessments plus interest, costs, and penalties accrued thereon for street and sidewalk improvements abutting on property owned by named orphanage or by trustees of Episcopal Church, Diocese of N. C., and used by orphanage. Postponement is to exist so long as property is used for orphanage purposes, and no further interest or other charges are to accrue after this act is ratified. City retains lien on property assessed with no loss of priority. When all or any part of property is sold or used for other than orphanage purposes, all or proportionate part of indebtedness becomes due. Diocese trustees and orphanage must have a certified and acknowledged notice of lien substantially according to form set out in bill, probated and registered.] To Counties, Cities, and Towns.

HB 72 - (Gaston) Introduced by Bryant

"To amend Chapter 96 of the Private Laws of 1913 relative to the charter of the city of Gastonia." [Amends Sec. 4 and Sec. 20 of cited chapter to increase maximum salaries city council may pay following officers: judge of municipal court, from $1000 to $6000 per year; prosecuting attorney, from $800 to $5000 per year.] To Counties, Cities and Towns.

HB 73 - (Gaston) Introduced by Bryant

"To provide for an election to be held in the city of Gastonia in Gaston County to determine whether certain sections of the General Statutes shall be amended insofar as they pertain to the number and election of the members of the city council and the mayor of the City of Gastonia." [Provides for an election to be called on a Monday on or before April 6, 1953, and conducted, canvassed and certified in same manner as municipal primary, to determine: (1) whether G.S. 160-340 shall be amended to increase the number of councilmen from 5 to 6, one from each of six wards; (2) if such increase is voted, whether councilman from each ward shall be elected by ward voters or by voters of city at large; (3) whether G.S. 160-345 shall be amended to provide for city-wide election of mayor for 2 year term instead of election of council member by council as now provided, such election to be held at same time and in same manner chosen for election of councilmen. The boundaries of wards to be used if voters elect to choose councilmen by ward are delineated, and provision is made for subsequent extension of ward lines in the event the corporate limits are extended.] To Counties, Cities, and Towns.

HB 75 - (Nash) Introduced by Williams

"To authorize the board of commissioners of Nash County to invest certain county funds." [Permits board to invest money in general fund, debt service fund and public school fund in bonds or notes of U.S., N.C., or any county, city, or town in North Carolina, and requires accounting for such investments in budgets of departments for which investment is made. No such bond or note may be purchased at more than current market price or sold at less than current market price.] To Local Government.

HB 76 - (Nash) Introduced by Williams

"Authorizing the board of commissioners of Nash County to aid certain charitable and other organizations." [Authorizes annual appropriations, with maximum limits, as follows: (1) Boy Scouts, $500; (2) Florence Crittenton Home, $200; (3) Rocky Mount Community Council, $200; (4) Nash County Harvest Festival, $500; (5) portraits or pictures of county officials for courthouse walls, or other commemoration of outstanding Nash citizens, $200; (6) monthly FHA and Soil Conservation phone bills; and (7) other charitable organizations deemed worthy, $10 each. Ratifies past appropriations to named beneficiaries.] To Local Government.

HB 77 - (Nash) Introduced by Williams

"To repeal Chapter 654, 1951 Session Laws providing for the compensation of precinct election officials in Nash County." [Repeals cited chapter, which authorized county commissioners to fix pay of precinct election officials at not over $8 per day. G.S. 163-20 will again apply to county, so that election judges and assistants will receive $7 per day, and registrars $10 per day, and county commissioners may increase the amounts. Ratifies past payments under general law.] To Local Government.

HB 78 - (Nash) Introduced by Williams

"Authorizing the board of commissioners of Nash County to turn into the general county fund certain taxes collected, known as the insolvent list." [Authorizes commissioners to turn into general county fund all collections on personal property taxes previously contained in the insolvent list.] To Local Government.

HB 79 - (Columbus) Introduced by Floyd

"To rewrite G.S. 153-4, relating to the election of the members of the board of county commissioners of Columbus County." [Rewrites cited section as it applies to Columbus County to provide that in 1954 general election the two candidates for county commissioner receiving largest vote are elected for 4 year terms, and three next highest for 2 year terms. CSC decides question in event of tie vote. At end of each term successors are to serve 4 year terms. Does not change present districting or nominating method.] To Counties, Cities, and Towns.

HB 80 - (New Hanover) Introduced by Hewlett

"To provide for the appointment, salary and duties of an assistant solicitor for the eighth solicitorial district to assist in the prosecution of the criminal docket for the superior court of New Hanover County." [Authorizes commissioners to appoint competent New Hanover attorney, recommended by eighth district solicitor, to assist in prosecuting superior court criminal docket in county. First term begins Feb. 15, 1953 and ends Dec. 31, 1953. Terms are annual thereafter, but commissioners may leave office unfilled and resume at any time thereafter, appointing for remainder of annual term. Salary of not less than $300 per month is to be paid from general fund. CSC and county recorder's court clerk are to add to cost paid by law for solicitor's fee 1/2 that amount, to be paid on collection to county auditor and earmarked for salary of assistant solicitor. If excess collected, proportionate part reverts to recorder court, to be disbursed according to law, and remaining proportion collected by CSC goes to county education board.] To Counties, Cities, and Towns.

HB 81 (New Hanover) Introduced by Hewlett

"To establish a law library for the public officials and courts in New Hanover County." [Authorizes county to acquire books, furnishings and equipment for law library to be held as county property under custody of CSC, County Auditor and President of County Bar Association. Designates CSC, as librarian ex officio, to employ part or full time librarian with approval of county commissioners. To provide for location and support of library and payment of librarian's salary, 50¢ is to be taxed, for no longer than four years from date of act's ratification, as costs in all cases disposed of in the county recorder's or superior court, except in cases in which county is to pay all costs. CSC is to purchase books, furnishings and equipment and enter into contracts and make purchases to be paid from future collections with consent of custodians. Committee of three lawyers is to be appointed annually by president of county bar association to advise custodians.] To Judiciaryl.

HB 82 - (New Hanover) Introduced by Hewlett

"To amend General Statutes 160-345, Volume 3C, and to provide for the election of the Mayor of the City of Wilmington." [Cited section provides that mayor is to be elected by city council from among its members and is to hold office during term for which he has been elected to council (four years). Amendment provides that members of city council whose terms begin at noon, May31, 1955, shall elect mayor from among own members for two year term. Thereafter mayor is to be elected similarly for two year term.] To Counties, Cities, and Towns.

HB 83 - (Duplin) Introduced by Carr

"To abolish the office of county treasurer in Duplin County." [Effective July 1, 1953, abolishes office of Duplin County treasurer (now consolidated with office of sheriff) and in lieu provides that county commissioners select annually by recorded resolution one or more Duplin County banks as official depositories for county funds. Depositories selected must secure funds as provided in G.S. 159-28. Public officers receiving funds of county, or any subdivision thereof, are to deposit such funds in the selected banks and submit signed duplicate deposit slips to county accountant. Banks receive no special compensation and must render statements as required by commissioners. Makes it unlawful to deposit public moneys in any banks other than those selected.] To Local Government.

HB 84 - (Bertie) Introduced by Speight

"Relating to the consolidation of public schools in Bertie County and to amend Chapter 115 of the General Statutes accordingly." [Amends G.S. 115-97, and G.S. 115-352 (which authorize State Board of Education to regulate school districts, with the advice of county education boards) "and all other portions of Ch. 115 relating to the consolidation of schools" to provide: (1) No public high school in Bertie County may be closed or consolidated if such action would require more than 10% of its pupils to travel more than 15 miles, or if average daily attendance is 45 or more, unless the county board of education and a majority of parents of pupils attending such school consent to such action; (2) any school closed since January 1, 1951, which could not be closed under provisions of this act, may be reopened on joint petition of majority of parents of pupils attending such school on date closed and county board of education; (3) State Board of Education is directed to participate in such reopenings and to furnish school operation funds provided by law without regard to minimum daily attendance requirements.] To Education.

HB 85 - (Pitt) Introduced by Kilpatrick

"To extend the corporate limits of the town of Ayden in Pitt County." [Strikes description of present boundaries from Sec. 1, Ch. 189, 1917 Private Laws, and sets out description of new boundaries.] To Counties, Cities and Towns.

HOUSE CALENDAR ACTION

PUBLIC BILLS

HB 36 - Creating Paroles Board. Reported favorably as amended.
HB 37 - Retroactive social security coverage. Reported favorably.
HR 64 - (Joint Resolution) Memorializing Harris. Passed second reading.

LOCAL BILLS

SB 8 - (Mecklenburg) County ABC board powers, as amended in Senate 1/15 and 1/20. Received from Senate; sent to Judiciary 2.

Next session of House: 10:00 a.m., Friday, January 23, 1953.

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INSTITUTE OF GOVERNMENT

LEGISLATIVE SERVICE

GENERAL ASSEMBLY OF NORTH CAROLINA

DAILY BULLETIN

P. O. Box 1658 111 West Morgan St., Raleigh, N. C. Telephone 3-5515

BULLETIN NO. 13
Friday, January 23, 1953

Session: Senate -- 10:30 a.m.

PUBLIC BILLS INTRODUCED -- SENATE

SB 44 - Introduced by Jones

"To amend section 108-11 of the General Statutes of North Carolina so as to provide for delegation of certain duties by county boards of public welfare." [Amends G.S. 108-11 permitting county welfare boards to delegate authority to county superintendent of public welfare to process applications for assistance, in cases requiring immediate action to prevent undue hardship, and to determine amount of assistance and beginning date. Any action taken by superintendent pursuant to this authority must be reported to board at its next meeting.] To Public Welfare.

SB 45 - Introduced by Jones

"To amend Article 3 of Chapter 108 of the General Statutes of North Carolina so as to establish a state pooled fund for the hospitalization of public assistance recipients." [Effective July 1, 1953, adds new part (4) to cited article empowering state board of public welfare to establish a state fund for hospitalization of recipients of old age assistance, aid to dependent children, and aid to permanently and totally disabled. Fund is to be used only for necessary hospitalization of such recipients and their spouses when spouses are included in the assistance budget group; balance at end of any fiscal year does not revert. Empowers board to make necessary regulations to carry out provisions of act. Fund is to consist of (1) appropriations to state board for purpose of monthly payments on behalf of such public assistance recipients; (2) monthly deductions by state board from state funds due each county for assistance purposes; and (3) federal funds paid state for each assistance category. State board is to fix rate (per recipient) of monthly payments into fund. After computation of federal participation, balance of rate is to be borne equally by state and counties. Amounts to be paid by counties are subject to G.S. 108-73, and payments into fund constitute payment of assistance. State board is to determine amount and extent of payments for persons eligible for hospitalization. State treasurer is ex-officio treasurer and payments into fund are irrevocable except as provided in G.S. 108-76. County superintendent of public welfare is to submit claims to state board in accordance with rules established by board. Payments from fund are to be made only to hospitals licensed by medical care commission and upon order of commissioner of public welfare.] To Public Welfare.

SB 46 - Introduced by Weeks

"To provide that no person shall be required to be a member of any optometric organization, association or society of another state for any period of time as a condition precedent to being admitted to an examination of the North Carolina state board of examiners in optometry." [Amends G.S. 90-118, which enumerates prerequisites for taking examination before state board of examiners in optometry, by adding to subsection (4) that no applicant shall be required to be or to have been a member of optometric organizations in this or any other state prior to examination.] To Judiciary 1.

HOUSE CALENDAR ACTION

PUBLIC BILLS

HB 36 - Creating paroles board. Amended to delete sec. 9 of bill, which provided that records were not to be open to public and required board members and employees not to disclose official information; passed second and third readings.

HB 37 - Retroactive social security coverage. Passed second and third readings.

HR 64 - (Joint Resolution) Memorializing Harris. Amended to remove provision adjourning House. Passed third reading.

LOCAL BILLS

SB 25 - (Edgecombe) Tarboro desk sergeant jurisdiction. Received from Senate; sent to Local Government.

Next session of House: For consideration of local bills only, 10:00 a.m., Saturday, January 24, 1953.

INSTITUTE OF GOVERNMENT

LEGISLATIVE SERVICE

GENERAL ASSEMBLY OF NORTH CAROLINA

DAILY BULLETIN

P. O. Box 1658 111 West Morgan St., Raleigh, N. C. Telephone 3-5515

BULLETIN NO. 14
Monday, January 26, 1953

NOTE

The Senate convened at 9:30 a.m., Saturday, January 24, to consider local bills only. No bills were introduced; calendar action taken is included in this bulletin.

Session: Senate -- 8:00 p.m.

PUBLIC BILLS INTRODUCED -- SENATE

SB 48 - Introduced by Hobgood and Whitley

"Relating to persons driving under the influence of intoxicating liquors; presumptions." [Adds G.S. 20-139.1 to establish presumptive evidence, based on scientific analysis of amount of alcohol in a person's blood, in criminal prosecutions for violations of G·S. 20-138 and G.S. 20-139, as they relate to driving while under influence of intoxicating liquors. Provides that amount of alcohol in defendant's blood at time alleged as shown by chemical analysis of blood, urine, breath or other bodily substance shall give rise to following presumptions: (1) If .05% or less by weight of alcohol in blood, presumes that defendant was not under influence of liquor. (2) If in excess of .05% but less than .15% by weight of alcohol in blood, does not give rise to any presumption; however such fact may be considered with other competent evidence in determining guilt or innocence. (3) If .15% or more by weight of alcohol in blood, presumes that defendant was under influence of liquor. Provisions of act do not limit introduction of other competent evidence.] To Judiciary 1.

SB 49 - Introduced by Crawford

"To amend the Constitution of the State of North Carolina so as to permit the General Assembly to increase the jurisdiction of Justices of the Peace." [Submits to qualified voters at next general election an amendment to Sec. 27 of Art. IV, N.C. Constitution, to extend JP jurisdiction in criminal cases. At present Constitution gives JPs jurisdiction of all criminal matters arising within their counties where punishment cannot exceed fine of $50 or imprisonment for 30 days. If approved, amendment would give JPs jurisdiction of "all criminal matters below the grade of a felony which the General Assembly shall designate as being within such jurisdiction."] To Judiciary 1.

LOCAL BILLS INTRODUCED -- SENATE

SB 50 - (Wake) Introduced by Bailey

"To amend Section 105 of Ch. 1184, Session Laws of North Carolina, 1949 (being the charter of the city of Raleigh); relating to assessments against abutting property owners for local improvements." [Rewrites cited section to provide (1) that city may classify streets according to their present or future use or the nature of the zoning classification of abutting property; (2) that assessments for cost of any improvement must be made "by uniform rule within the various classifications"; (3) that city is not required to assess abutting property owners for entire cost of improvements not chargeable to street and alley intersections but only for such part of cost as city may deem proper. Retains provision prohibiting assessment for cost of improvement twice within 10 years, unless the property owner shall request such improvement.] To Counties, Cities and Towns.

SENATE CALENDAR ACTION

PUBLIC BILLS

SB 9 - Retroactive social security coverage. Postponed indefinitely.

HB 36 - Creating paroles board, as amended in House 1/23. Received from House; sent to **Judiciary 1.**

HB 37 - Retroactive social security coverage. Received from House; sent to Retirement-Employment Security.

HR 64 - (Joint Resolution) Memorializing Harris, as amended in House 1/23. Received from House; placed on calendar; passed second and third readings.

LOCAL BILLS

SB 18 - (Person) Roxboro police jurisdiction. Passed second and third readings, 1/24.

HB 5 - (Scotland) Laurinburg property sale. Passed second and third readings, 1/24.

HB 15 - (Rowan) JP fees. Passed second and third readings, 1/24.

HB 22 - (Rowan) Salisbury police desk warrants. Passed second and third readings, 1/24.

Next session of Senate: 12 noon, Tuesday, January 27, 1953.

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BULLETIN NO. 14
Monday, January 26, 1953

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NOTE
The House convened at 10:00 a.m., Saturday, January 24, to consider local bills only. Bills introduced are included in this bulletin. No calendar action was taken.

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Session: House -- 8:00 p.m.

PUBLIC BILLS INTRODUCED -- HOUSE

HB 96 - Introduced by Mauney

"To change the name of the bureau of identification established in the prison department to the name of consolidated records section - prison department." [Amends G.S. Ch. 148, Art. 7, to produce change indicated in title.] To Judiciary 1.

HB 97 - Introduced by Rodman

"To amend section 55-31 of the General Statutes of North Carolina, in order to eliminate requirement that certificates of amendment of corporate charters include the written assent of a majority of stockholders." [As title indicates.]To Corporations.

HB 98 - Introduced by Rodman

"To amend Section 55-110 of the General Statutes of North Carolina, in order to eliminate provision for the disfranchisement of shares of stock." [Deletes second sentence of G.S. 55-110 which provides that no share of stock may be voted which has been transferred on the books of the corporation within twenty days of an election.] To Corporations.

HB 99 - Introduced by Taylor of Warren

"To amend Section 166 of Chapter 20 of the General Statutes of North Carolina, relating to the duty to stop in the event of accident." [Amends cited section to substitute word "collision" for word "accident" wherever latter word occurs in section. Does not apply to pending litigation.] To Roads and Highway Safety.

HB 100 - Introduced by Taylor of Warren

"To amend Section 30 of Chapter 47 of the General Statutes of North Carolina, relating to the probate and registration of plats and subdivisions." [Amends G.S. 47-30 to provide that the surveyor making plat shall swear that plat is correct "according to best of his knowledge and belief" rather than that plat is "correct." Validates all plats previously admitted to registration on probate as provided in this amendment. Does not apply to pending litigation.] To Judiciary 2.

HB 102 - Introduced by Turner and Hunt

"Relating to adoption and amending G.S. 14-320." [Provides that cited section, which prohibits separation of babies six months old or less from their mothers except in specific situations, shall not prevent delivery of child to person for adoption when parent has consented in writing to adoption by such person or persons. Consent is to be made part of adoption proceedings commenced in this state.] To Judiciary 1.

HB 104 - Introduced by Winkler

"To exempt fox hunters who hunt without guns or other weapons and who hunt for the chase only from paying any charges or licenses or from being required to obtain any license for such purpose." [As title indicates; permits use of dogs in such unregulated hunting. Makes it unlawful for any officer to ask persons engaged in fox hunting for sport or chase only to show license.] To Wildlife Resources.

HB 105 - Introduced by Regan and Floyd of Robeson

"To amend Article 5 of Chapter 116 of the General Statutes relating to the admission of students to Pembroke State College." [By amending G.S. 116-79 and 116-85(b) and by adding G.S. 116-85(c), permits Pembroke State College to admit not only Cherokee Indians of Robeson County and other Indians whose status is recognized by federal Bureau of Indian Affairs but also "any other persons who may be approved by the board of trustees.] To Education.

LOCAL BILLS INTRODUCED -- HOUSE

HB 91 - (Yancey) Introduced by Atkins, 1/24

"Relating to the fees of the sheriff of Yancey County." [Provides for sheriff to receive only turnkey, jail and witness fees, and fees for arrests and process serving, but no salary (did receive $300 per month plus fees); chief deputy continues to receive $150 per month.] To Judiciary 1.

HB 92 - (Yancey) Introduced by Atkins, 1/24

"Relating to the operation of pool rooms in the town of Burnsville, North Carolina." [Makes operation of pool room or billiard parlor, within 3000 feet of any church or public school in Burnsville, misdemeanor punishable by fine of not less than $25 or more than $50, or imprisonment for not more than 30 days. Each day violation continues constitutes separate offense.] To Propositions and Grievances.

HB 93 - (Yancey) Introduced by Atkins, 1/24

"Authorizing and directing the clerk of the superior court of Yancey County to transfer to the recorder's court of said county all actions now pending in the superior court of said county and coming within the jurisdiction of said recorder's court." [Directs CSC to transfer all cases pending in superior court within jurisdiction of newly established recorder court to that court, whether bills of indictment have been returned or not.] To Counties, Cities and Towns.

HB 94 - (Mitchell) Introduced by McKinney, 1/24

"To authorize the board of county commissioners of Mitchell County to defer quadrennial revaluation and reassessment of real property." [As title indicates, authorizes board to postpone until 1954 or 1955, in its discretion.] To Counties, Cities and Towns.

HB 95 - (Caswell) Introduced by Warren

"Relating to the issuance of warrants and receipts by justices of the peace of Caswell County." [Requires CSC to issue consecutively numbered warrants and receipts to each JP, who must use warrants and issue receipts bearing corresponding numbers for all expenses paid in connection with warrant issued. 1 copy goes to payor, 1 to CSC, 1 to file, with copies to CSC being turned over last day of each April, Aug., and Dec. JP docket books must be submitted annually to CSC for examination and filed with CSC when filled.] To Local Government.

HB 101 - (Wake) Introduced by Whitley, Pou and Womble

"Amending Section 1, Chapter 857, Session Laws of 1951 relating to the salary of the recorder and prosecuting attorney for White Oak, Buckhorn, Cedar Fork and Leesville townships of Wake County." [Deletes provision that salary of prosecuting attorney can not exceed that of recorder in court named in title.] To Judiciary 2.

HB 103 - (Duplin) Introduced by Carr

"To amend Section 3 of the charter of the Town of Calypso, as amended by Chapter 304 of the Session Laws of 1949 relating to raising revenues in the Town of Calypso in Duplin County." [Deletes provision limiting town to tax of $1 per hundred on property and $1 poll, and adds that town is authorized to levy tax on property for operating expenses as is or may be provided by general law (now $1.50 per hundred) and in addition must levy annual property tax sufficient to pay interest and principal as due on all town bonds and notes.] To Finance.

HOUSE CALENDAR ACTION

PUBLIC BILLS

None.

LOCAL BILLS

SB 18 - (Person) Roxboro police jurisdiction. Received from Senate; sent to Local Government.

Next session of House: 12 noon, Tuesday, January 27, 1953.

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INSTITUTE OF GOVERNMENT

LEGISLATIVE SERVICE

GENERAL ASSEMBLY OF NORTH CAROLINA

DAILY BULLETIN

P. O. Box 111 West Morgan St., Raleigh, N. C. Telephone

BULLETIN NO. 15
Tuesday, January 27, 1953

Session: Senate -- 12 noon.

PUBLIC BILLS INTRODUCED -- SENATE

SB 51 - Introduced by McIntyre

"To clarify and reaffirm the tax exempt status of North Carolina Housing Authority bonds." [To accomplish purpose cited in title, rewrites G.S. 157-26, relating to the tax exempt status of housing authority bonds, to provide that such bonds or notes and the interest thereon, heretofore or hereafter issued, shall be exempt from taxes. G.S. 157-26 presently confers this exemption only when such bonds or notes are held by the federal government, purchasers from the federal government or persons who acquired title from or through such a purchaser.] To Finance.

LOCAL BILLS INTRODUCED -- SENATE

None.

SENATE CALENDAR ACTION

PUBLIC BILLS

SB 17 - Exempting armed forces from juries. Reported favorably.
SB 24 - Probation violation appeals. Reported favorably.
SB 39 - Reducing executors' renunciation period. Reported favorably.
SB 49 - Increasing JP criminal jurisdiction. Reported unfavorably.

LOCAL BILLS

None.

BILLS RATIFIED

HB 5 - (Scotland) Laurinburg property sale.
HB 22 - (Rowan) Salisbury police desk warrants.
HR 64 - (Joint Resolution) Memorializing Harris, as amended in House 1/23.

Next session of Senate: 12 noon, Wednesday, January 28, 1953.

#

BULLETIN NO. 15
Tuesday, January 27, 1953

Session: House -- 12 noon

PUBLIC BILLS INTRODUCED -- HOUSE

HB 106 - Introduced by Taylor of Warren

"To amend G.S. 46-7.1 relating to the compensation of commissioners in a partition proceeding." [Deletes provision authorizing CSC to fix pay of partition commissioners (of land) at not over $6 each per day, and authorizes CSC to allow such commissioners a reasonable fee in accordance with G.S. 1-408.] To Judiciary 2.

HB 107 - Introduced by Regan

"Relating to bail pending appeal." [Amends G.S. 15-183, which gives convicted misdemeanants right to give bail pending appeal, to provide that all persons convicted, except of capital offenses, must be allowed to give bail pending appeal; in capital offenses where sentence is life imprisonment, court has discretion to permit bail pending appeal.] To Judiciary 2.

HB 108 - Introduced by Blue

"To amend part 3 of Article 3 of Chapter 108 of the General Statutes of North Carolina to include therein certain provisions now contained in parts 1 and 2 of said Article, so as to make said provisions applicable to aid to the pemanently and totally disabled." [Authorizes counties to levy special annual tax to supplement state and federal funds available for aid to permanently and totally disabled, or to provide such supplement from other sources, including borrowing in anticipation of tax collection. Unexpended funds do not revert, but may be considered in determining further appropriations and must be considered when determining tax rate. Such funds may not be used for purposes not authorized by Art. 3 of Ch. 108 (Division of Public Assistance), but old age assistance, aid to dependent children, and aid to permanently and totally disabled funds may be transferred between each other, with approval of State Board of Allotments and Appeal.] To Public Welfare.

HB 109 - Introduced by Turner

"To provide that contributory negligence shall not be a bar to recovery in negligence actions but shall diminish the damages." [Effective July 1, 1951, contributory negligence is not to bar recovery by any person or his legal representative of damages for negligence resulting in death or injury to person or property, but any damage allowed is to be reduced by jury in proportion to amount of negligence attributable to person recovering.] To Judiciary 1.

HB 110 - Introduced by Edwards and Maddrey

"To provide for area music supervisors to carry out a program of musical education in the public schools and to appropriate necessary funds for their employment." [Appropriates $35,000 annually from general fund to Department of Public Instruction for employment of 6 area music supervisors, to work under and with supervisor of music education to (1) train leaders from public school teachers and other organizations to promote music in schools, churches, and communities; (2) hold conferences with teacher groups to demonstrate methods of musical education; (3) organize leadership for high school vocal music groups and develop music programs in all schools; (4) develop leadership for community choruses.] To Education.

HB 112 - Introduced by Whitmire

"To repeal section 15-171 of the General Statutes of North Carolina relating to verdicts in burglary cases." [Repeals cited section which permits a jury to render verdict of second degree burglary when crime charged is first degree burglary and when facts are found sufficient to constitute first degree burglary. Section to be repealed provides that judge must instruct jury as to possibility of two verdicts.] To Judiciary 1.

HB 113 - Introduced by Whitmire

"To permit the creation of future interests in personal property by written instruments of transfer." [To effect purpose cited in title, provides that any interest or estate in personal property which may be created by will may also be created by written instrument of transfer.] To Judiciary 1.

HB 116 - Introduced by White of Lenoir

"To amend Section 2-52 of the General Statutes (Cumulative Supplement of 1951) providing for the payment of insurance to the clerk of the superior court for a minor or mentally incompetent in amounts of $500.00 or less and to limit the liability of the clerk of the superior court to the amount actually paid." [Amends cited section to make clear that receipt of public guardian or CSC for insurance proceeds up to $500 received for benefit of minors or mental incompetents is complete discharge of insurer issuing policy only to extent of amount of proceeds paid to guardian or clerk. Limits liability of public guardian or CSC to amount actually paid them.] To Judiciary 2.

HB 119 - Introduced by Crissman and others

"To amend the revenue act to provide for nonrecognition of gain from the sale of a residence where the proceeds are reinvested in another residence." [Adds subsection (a) to G.S. 105-144, relating to determination of gain or loss for income tax purposes, to provide that if a tax payer's principal residence is sold and a new principal residence is purchased within one year before or after sale of old residence, taxable gain is to be recognized only to extent sale price of old residence exceeds cost of new residence. For purposes of subsection: (1) exchange of residence for other property is considered sale of residence, and acquisition of residence upon exchange is considered purchase of residence; (2) gain realized on an exchange is considered "selling price" of old residence; (3) any part of residence constructed or reconstructed by taxpayer is considered purchased by taxpayer; (4) if a residence is bought and sold before sale of old residence, it is not considered a new residence; (5) if taxpayer purchases more than one residence which is used as principal residence within one year after sale of old residence, last residence used after date of sale is considered the new residence; if principal residence used is destroyed, stolen, seized, condemned or sold or exchanged under threat, then the one year period is considered as ending with date of loss. Does not apply to sale of residence if within one year prior to sale taxpayer sold at gain other property used as principal residence and such gain was not recognized. If no gain is recognized, adjusted basis of new residence shall be reduced by amount equal to amount of gain not recognized upon sale of old residence; for this purpose, amount of gain not recognized includes only gain not recognized by reason of cost of purchasing new residence. Permits taxpayer and spouse to allocate gain and adjusted basis of new residence between them for tax purposes if old and new residences are both used by taxpayer and spouse as their principal residences. If taxpayer and spouse do not consent to allocation, gain shall be attributable to taxpayer. Applies to transactions on or after January 1, 1953.] To Finance.

LOCAL BILLS INTRODUCED -- HOUSE

HB 111 - (Montgomery) Introduced by Allen

"To fix the corporate limits of the town of Star." [Amends Sec. 2 of Ch. 50, 1897 Public Laws as amended by Ch. 34, 1924 Private Laws, Extra Session, to set boundaries of Star corporate limits.] To Counties, Cities and Towns.

HB 114 - (Brunswick) Introduced by Williamson

"To amend Ch. 463 of the Session Laws of 1951, relative to deputy sheriffs in Brunswick County." [Amends Sec. 8 of cited Chapter to increase the monthly salary of deputies from $225 plus allowances to $325 and allowances. County commissioners may authorize sheriff to employ additional deputy (Sec. 8 now authorizes 2 deputies) with same salary and allowances.] To Local Government.

HB 115 - (Lenoir) Introduced by White

"To authorize the board of commissioners of Lenoir county and the board of aldermen of the city of Kinston to fix the salaries of the judge, solicitor and clerk of the municipal-county court of the county of Lenoir and city of Kinston." [Authorizes county commissioners and Kinston aldermen, acting jointly, to fix salaries indicated in title, to be paid at such times and in such amounts as they deem proper. Present salaries continue until new salaries are fixed.] To Counties, Cities and Towns.

HB 117 - (Lenoir) Introduced by White

"To regulate the drawing of jurors in Lenoir county." [Provides that names of regular jurors present at any trial in Superior Court be listed in the order in which drawn from the box, and that those serving as petit jurors be called into the jury box from such list in the order that they appear thereon.] To Judiciary 2.

HB 118 - (Lenoir) Introduced by White

"To authorize the board of county commissioners of Lenoir county to allocate and pay over to certain municipalities in Lenoir county sums of money as grants-in-aid for the purchase of fire-fighting equipment and fire protection and suppression." [Authorizes county commissioners to allocate from any funds available, $5000 to Pink Hill and LaGrange, and $1000 to Grifton to be used for fire fighting (including purchase of fire equipment) in rural areas of the county. Confirms and validates contract between county and Kinston which made a fire truck available to Kinston. Authorizes commissioners to continue this or make another contract, making fire fighting equipment and apparatus available to Kinston. Permits county to replace any fire truck or apparatus made available to Kinston.] To Local Government.

HOUSE CALENDAR ACTION

PUBLIC BILLS

HB 20 - Authorizing corporation certificate amendment. Reported favorably as to committee substitute; committee substitute adopted to clarify language stating instances when Secretary of State must refer amendment certificates to other state officers or agencies for approval before issuing or recording same.
HB 51 - Workmen's compensation dependency payments. Reported favorably.
HB 74 - Adopting new G.S. Vol. III. Reported favorably.
HB 100- Plat probate and registration. Reported favorably as amended.

LOCAL BILLS

SB 8 - (Mecklenburg) County ABC board powers, as amended in Senate 1/15 and 1/20. Reported favorably.
HB 49 - (Hoke) Public drunkenness. Reported favorably.
HB 50 - (Hoke) Vice recorder. Reported favorably.
HB 60 - (Caswell) Increasing recorder jurors summoned. Reported favorably.
HB 61 - (Caswell) Recorder court salaries. Reported favorably
HB 81 - (New Hanover) Establishing law library. Reported favorably.
HB 101- (Wake) Recorder court salaries. Reported favorably.

Note: The following Representatives have been added to indicated committees:
Agriculture: Scott, Taylor of Warren and Williamson.
Conservation and Development: Allen of Montgomery and Falkner.
Counties, Cities and Towns: Mills, Swindell and Warren.
Education: Rodenbough and Warren.
Local Government: Williamson.
Mental Institutions: Hunt and O'Hanlon.
Public Welfare: Kiser and Rodenbough.
Roads and Highway Safety: Allen of Montgomery, Blue, Clark of Lincoln, Fowler and Williamson.
Wildlife Resources: Kilpatrick.

The following Representatives have been removed from indicated committees:
Judiciary 1: Worthington.
Local Government: Jordan.

Representative Woolard was made a vice chairman of the committee on Penal Institutions.

Next session of House: 12 noon, Wednesday, January 28, 1953.

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INSTITUTE OF GOVERNMENT

LEGISLATIVE SERVICE

GENERAL ASSEMBLY OF NORTH CAROLINA

DAILY BULLETIN

P. O. Box 1658 111 West Morgan St., Raleigh, N. C. Telephone 3-5515

BULLETIN NO. 16
Wednesday, January 28, 1953

Session: Senate -- 12 noon

PUBLIC BILLS INTRODUCED -- SENATE

SB 52 - Introduced by Sanford and others

"Amending Section 1 of Chapter 112 of the General Statutes relating to the admission of persons into the Confederate Woman's Home by striking out the proviso at the end of the first paragraph." [Strikes out proviso to G.S. 112-1 which prohibits admission of daughters of confederate soldiers to Confederate Woman's Home after January 1, 1953.] To Judiciary 1.

SB 53 - Introduced by Sanford

"To provide for a preferential presidential primary election." [Amends G.S. 163-117, which sets out the dates for primary elections, to provide that a presidential primary election be conducted at primary election next preceding a presidential election. Results are not binding on delegates to national party conventions. Amends G.S. 163-119, relating to the filing of candidates in primary elections, to provide that a presidential candidate's name may be entered in presidential primary by any qualified voter who is a member of candidate's party, and who files with State Board of Elections by noon of tenth Saturday before such primary a petition, signed by at least 5000 qualified voters of his party, representing at least 80 counties. Presidential primaries are not subject to provisions of G.S. 163-119 requiring (1) candidate's signature on such petitions; (2) candidate to be registered member of party in whose primary he is a candidate; (3) written pledge of unregistered candidate that he will register as member of party in whose primary he is a candidate. Amends G.S. 163-120 to require a $200 filing fee for presidential primary petition. Provisions of G.S. 163-124 and 128 relating to certification of primary petitions and the printing and distribution of primary ballots are amended to apply to presidential primaries. G.S. 163-128 is amended to provide State Board of Elections may not declare a presidential candidate, unopposed in his party's primary, the party nominee prior to the primary but must print his name on primary ballots. G.S.163-132 is amended to provide for printing and distribution of presidential primary ballots and to permit write-in votes on such ballots. Write-in votes are to be counted so long as intent of voter to designate a particular person can be determined.] To Elections and Senatorial Districts.

SB 57 - Introduced by Weeks

"To rewrite G.S. 122-46, relating to the commitment of alleged mentally disordered persons to a state hospital for observation." [Rewrites G.S. 122-46 to provide that when two physicians have made affidavit that an alleged mentally disordered person needs admission to mental hospital, clerk must have served on such person reasonable written notice as to time and place of clerk's hearing on affidavit. Notice must not be less than 24 hours. Permits rather than directs clerk (as at present) to issue order of commitment after hearing all witnesses.] To Judiciary 1.

SB 58 - Introduced by Weeks

"To amend G.S. 15-200 so as to permit probationers to give bond pending the continuance, extension or revocation of periods of probation." [Amends cited section as it relates to arrest of probationers or persons under suspension of sentence to permit such persons to give bond, after arrest with or without a warrant for violation of conditions of probation or suspension of sentence pending a court hearing.] To Judiciary 1.

SB 59 - Introduced by Bason

"To provide a method for establishing the population of certain local units of government which are not included in the federal census." [Authorizes municipalities incorporated since last federal cansus to participate in state funds allocated to local government units by filing population estimate with state agencies charged with distributing such funds. Population estimate is to be approved by municipal governing body and by county commissioners and becomes official census of municipality until next federal census. Directs state agencies to accept population estimate in allocation of funds.] To Counties, Cities and Towns.

LOCAL BILLS INTRODUCED -- SENATE

SB 54 - (Guilford) Introduced by Kirkman

"To amend Article X, Section 1, of Chapter 107 of the Private Laws of 1931, being part of the charter of the City of High Point." [Rewrites cited section providing for establishment and maintenance of a free public library in High Point to delete provision of present charter limiting annual appropriation for library (other than special tax levy approved by voters) to no more than 2¢ on each $100 property valuation.] To Counties, Cities and Towns.

SB 55 - (Union) Introduced by Smith

"To amend the charter of the city of Monroe so as to provide for the holding of primary elections for the nomination of candidates for the general municipal elections for said city." [Amends Monroe charter to provide for primary election for nomination of elective city officials, to be held under same rules as general election on third Saturday of April preceding general municipal election. Election judges and officials appointed for general election are to serve at primary when practicable. Candidates for nomination must file at least 15 days prior to primary and pay $5 fee, and names must be published once weekly for two successive weeks following filing date. Provides for form of ballot, printing and distribution to polling places by city clerk. Person qualified to vote at succeeding general election is qualified at primary. Provides for challenge of voters. Election judges must return results to clerk within 6 hours after polls close. Clerk and aldermen are to canvass returns publicly on day after primary and publish results at least once. Two candidates for mayor, 4 for aldermen, and 2 for any other elective office are to be chosen at primary and voted on at general election. The candidate for mayor, 3 candidates for aldermen, and candidate for other office receiving highest vote at general election are elected. If majority vote is cast for one candidate for mayor, 3 candidates for aldermen, and one candidate for other office at primary, only such candidates are to be placed on ballot for general election. General election is to be held on Tuesday after first Monday in May, 1953, and biennially thereafter.] To Election Laws and Senatorial Districts.

SB 56 - (Edgecombe) Introduced by Weeks

"To amend Sec. 2, Ch. 314, Session Laws of 1951 relative to the jurisdiction of the recorder's court of Edgecombe County in civil actions for divorce or alimony or both, and to provide for the transfer of divorce actions to the Superior Court for trial when answer is filed raising material issues of fact." [Amends cited section of Session Laws of 1951 (should be 1947) to provide that recorder's court has concurrent, original and final jurisdiction with superior courts of divorce actions, absolute or from bed and board, alimony with or without divorce, and alimony pendente lite. Provides that divorce actions in recorder's court are to be transferred to

Superior Court when answer, raising material issues of fact, is filed, even though motion for alimony pendente lite has previously been filed. Does not apply to pending litigation.] To Judiciary 1.

SENATE CALENDAR ACTION

PUBLIC BILLS

SB 17 - Exempting armed forces from juries. Passed second and third readings.
SB 24 - Probation violation appeals. Passed second reading.
SB 39 - Reducing executors' renunciation period. Passed second and third readings.

LOCAL BILLS

HB 19 - (Polk) Tryon ABC officer jurisdiction. Reported favorably.
HB 40 - (Wayne) Court costs. Reported favorably.

BILLS RATIFIED

HB 15 - (Rowan) JP fees.

Next session of Senate: 12 noon, Thursday, January 29, 1953.

#

BULLETIN NO. 16
Wednesday, January 28, 1953

Session: House -- 12 noon

PUBLIC BILLS INTRODUCED -- HOUSE

HB 120 - Introduced by Crissman and Uzzell

"Relating to schedule B license tax of plumbers, heating contractors and electricians, amending Chapter 105 Article 2, Section 91 of the General Statutes." [Adds license tax for plumbers, heating contractors and electricians to list of non-transferrable license taxes set forth in G.S. 105-33(c). Amends G.S. 105-91 to raise schedule of license taxes as follows: In municipalities with population of (1) less than 2,000--from $5.00 to $7.50; (2) 2,000 to 4,999--$7.50 to $12.50; (3) 5,000 to 9,999--$10 to $15; (4) 10,000 to 19,999--$12.50 to $17.50; (5) 20,000 to 29,999--$15 to $22.50; (6) 30,000 to 49,999--$30 (former category of 30,000 to 39,999 had tax of $17.50; and of 40,000 to 49,999 had tax of $20); (7) 50,000 and over--$25 to $40. Provides that any person engaging in those occupations in more than one town must pay tax based on the largest of those towns (provided that if higher tax is required under this provision after basic tax has been paid, such payment applies as credit toward higher tax.) Effective June 1, 1953.] To Finance.

LOCAL BILLS INTRODUCED -- HOUSE

HB 121 - (Johnston) Introduced by Thomas

"To amend Chapter 122 of the Public-Local and Private Laws of 1939, relating to the salary of the sheriff of Johnston County." [Raises from $21,000 to $32,000 maximum amount which may be allocated by county commissioners to pay salaries and expenses of Johnston County sheriff's office.] To Salaries and Fees.

HB 122 - (Pender) Introduced by Murphy

"To amend Section 2 of Chapter 132, Session Laws of 1951 authorizing the board of county commissioners of Pender County to levy a special annual tax for a veterans service officer, by increasing the maximum amount of said levy from 1 1/2¢ to 2 1/2¢ on the $100 valuation of property." [As title indicates.] To Veterans Legislation.

HB 123 - (Martin) Introduced by Corey

"To exempt certain volunteer firemen in Martin County from jury duty." [Effective July 1, 1953, empowers CSC of Martin county to excuse from jury duty any person whose name appears upon a list of active volunteer firemen in good standing, to be submitted by fire chiefs of Williamston and Robersonville on first day of Jan. and July each year.] To Judiciary 2.

HB 124 - (Columbus) Introduced by Floyd

"To fix the cost in the mayor's court in the Town of Tabor City." [Fixes costs in each case in mayor's court of Tabor City at $11.55, including arrest fee but excluding state process tax.] To Counties, Cities and Towns.

HB 125 - (Columbus) Introduced by Floyd

"To provide for the election of a mayor and five commissioners for the town of Tabor City." [Provides for election at next general election of mayor and five commissioners (instead of 3) to serve for term (2 years) heretofore provided.] To Counties, Cities and Towns.

HB 126 - (Rowan) Introduced by Barnett and Uzzell

"To fix the compensation for jurors for Rowan County." [Provides for all Rowan County jurors to receive $6 per day served plus 5¢ per mile for daily trips to and from home.] To Judiciary 2.

HB 127 - (Onslow) Introduced by Venters

"To validate the official acts of E. L. Arthur as a justice of the peace in Onslow County." [Validates official acts performed in capacity of JP by E. L. Arthur from Feb. 15, 1952 to Jan. 6, 1953.] To Judiciary 2.

HB 128 - (Henderson) Introduced by Whitmire

"To reappoint Z. C. Byers a member of the board of water commissioners of the city of Hendersonville." [As title indicates. Term is for 6 years.] To Local Government.

HB 129 - (Henderson) Introduced by Whitmire

"To extend the time of the quadrennial revaluation and reassessment of real property in Henderson County." [Authorizes county commissioners to postpone quadrennial revaluation until 1954 or 1955 in their discretion. Prior postponements validated.] To Local Government.

HB 130 - (Henderson) Introduced by Whitmire

"To provide for the salaries of officials and employees of Henderson County for the two-year period commencing July 1, 1953, and to provide for clerical help, deputies, clerks, and assistants in the several offices." [Directs county commissioners to employ following number of persons, full time, such persons to be requested and selected by official named: (1) sheriff - 5, who may be deputies or clerks; (2) tax collector and register of deeds - 2 each, who may be assistants, deputies, or clerks. Salaries now paid all county officials and employees are validated and are to constitute base pay for 2 year period beginning July 1, 1953. Validates action providing and paying extra deputy sheriff. Does not apply to employees paid partly from state or federal sources.] To Judiciary 1.

HOUSE CALENDAR ACTION

PUBLIC BILLS

HB 20 - Authorizing corporation certificate amendment (House committee substitute 1/27). Postponed to 2/2.
HB 34 - Education institution licenses. Reported favorably.
HB 51 - Workmen's compensation dependency payments. Postponed to 1/29.
HB 74 - Adopting new G.S. Vol. III. Passed second and third readings.
HB 100- Plat probate and registration. Amended to make bill apply to instances in in which a licensed surveyor makes oath that map is correct, where surveyor making plat is dead or land has been conveyed according to unrecorded plat. Passed second and third readings.

LOCAL BILLS

SB 7 - (Scotland) Education board appointment. Reported favorably. Placed on calendar; passed second and third readings.
SB 8 - (Mecklenburg) County ABC board powers, as amended in Senate, 1/15 and 1/20, passed second and third readings.
SB 18 - (Person) Roxboro police jurisdiction. Reported favorably.
SB 25 - (Edgecombe) Tarboro desk sergeant jurisdiction. Reported favorably.

HB 13 - (Mitchell) Bakersville tax limit. Reported favorably as to committee substitute; committee substitute adopted to make G.S. 160-402 ($1.50 tax limit) applicable to Town of Bakersville and to repeal Ch. 116, Sec. 7, 1869-70 Private Laws as well as Ch. 104, 1947 Session Laws.
HB 35 - (Johnston) Four Oaks charter revision. Reported favorably.
HB 45 - (New Hanover) Carolina Beach referendum. Reported favorably as amended; re-referred to Finance.

HB 48 - (Gaston) Authorizing surplus expenditure. Reported favorably.
HB 49 - (Hoke) Public drunkenness. Passed second and third readings.
HB 50 - (Hoke) Vice recorder. Passed second and third readings.
HB 52 - (Rockingham) Madison school land transfer. Reported favorably.
HB 56 - (Guilford) Jamestown charter amendment. Reported favorably; re-referred to Local Government.
HB 59 - (Caswell) Jurors fees. Reported favorably.
HB 60 - (Caswell) Increasing recorder jurors summoned. Passed second and third readings.
HB 61 - (Caswell) Recorder court salary. Postponed to 1/29.
HB 65 - (Davidson) Lexington gas distribution control. Reported favorably.
HB 66 - (Davidson) Lexington tax prepayment discounts. Reported favorably.
HB 67 - (Robeson) Tax prepayment discounts. Reported favorably.
HB 68 - (Robeson) Validating tax sales and agreements. Reported favorably.
HB 71 - (Mecklenburg) Postponing Charlotte orphanage street assessments. Reported favorably.
HB 72 - (Gaston) Increasing Gastonia court salaries. Reported favorably.
HB 73 - (Gaston) Gastonia ward election. Reported favorably.
HB 75 - (Nash) Investing county funds. Reported favorably.
HB 76 - (Nash) Aiding charitable organizations. Reported favorably.
HB 77 - (Nash) Election officials pay. Reported favorably.
HB 78 - (Nash) Insolvent list tax transfer. Reported favorably.
HB 81 - (New Hanover) Establishing law library. Passed second and third readings.
HB 83 - (Duplin) Abolishing county treasurer office. Reported favorably.
HB 85 - (Pitt) Extending Ayden limits. Reported favorably.
HB 93 - (Yancey) Transferring cases to recorder court. Reported favorably.
HB 94 - (Mitchell) Postponing revaluation. Reported favorably.
HB 95 - (Caswell) JP warrants and receipts. Reported favorably.
HB 101 - (Wake) Recorder court salaries. Passed second and third readings.
HB 111 - (Montgomery) Star corporate limits. Reported favorably.
HB 114 - (Brunswick) Deputy sheriffs' pay. Reported favorably.
HB 115 - (Lenoir) Municipal-county court salaries. Reported favorably.
HB 118 - (Lenoir) Rural fire protection. Reported favorably.

Note: House passed a motion directing the clerk to correct the journal to show that HB 34 was introduced by Womble of Forsyth rather than by Womble of Wake.

Next session of House: 12 noon, Thursday, January 29, 1953.

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INSTITUTE OF GOVERNMENT

LEGISLATIVE SERVICE

GENERAL ASSEMBLY OF NORTH CAROLINA

DAILY BULLETIN

P. O. Box 1658 111 West Morgan St., Raleigh, N. C. Telephone 3-5515

BULLETIN NO. 17
Thursday, January 29, 1953

Session: Senate -- 12 noon

PUBLIC BILLS INTRODUCED -- SENATE

SB 60 - Introduced by Bailey

"To amend the driver's license act to enlarge the definition of the term 'conviction.'" [Amends G.S. 20-24(c) to provide that a plea of nolo contendere, when accepted by the court, is equivalent to a 'conviction' for purposes of the Uniform Driver's License Act.] To Judiciary 2.

LOCAL BILLS INTRODUCED -- SENATE

SB 61 - (Davidson) Introduced by Hundley

"To amend Section 1 of Chapter 123 of Session Laws of 1949, relating to the Thomasville Recorders Court." [Amends cited act to provide that chief of police, desk sergeant and officers on duty as acting desk sergeants may issue criminal process returnable before recorders court. Present law provides that only chief and officer on duty as acting night desk sergeant may issue such process.] To Courts and Judicial Districts.

SB 62 - (Davidson) Introduced by Hundley

"To amend Section 6, Chapter 248 of Session Laws of 1949, relating to compensation of city councilmen of the city of Thomasville, North Carolina." [Effective beginning fiscal year 1952-53, amends cited section to authorize city council to fix councilman's annual pay at amount not to exceed $400 instead of $200 as at present.] To Counties, Cities and Towns.

SB 63 - (Catawba) Introduced by Shuford

"To amend the charter of the city of Hickory." [Amends Ch. 68, 1913 Private Laws, to provide (1) that city attorney may receive such extra compensation as council deems proper; (2) that city council, annually at first regular meeting after first Monday in July, is to elect a solicitor to prosecute all cases in municipal court (charter presently requires city attorney to prosecute such cases); (3) that, in event of death or resignation of municipal court judge or city solicitor, council is to appoint successor for unexpired term; (4) that, in event city solicitor is absent from municipal court, mayor has authority to appoint a substitute; (5) that municipal court fees presently paid to city attorney be paid to city solicitor; (6) that council is to annually elect municipal court clerk and assistant clerks who, with deputy clerks appointed by clerk, are assigned usual duties and have authority to issue same processes returnable before municipal court as judge may issue.] To Counties, Cities and Towns.

SENATE CALENDAR ACTION

PUBLIC BILLS

SB 24 - Probation violation appeals. Re-referred to Public Welfare.
SB 38 - Administering oaths of office. Reported favorably.
SB 40 - Confirming personal property partitions. Reported favorably.
SB 58 - Probationer bonds after arrest. Reported favorably.

HB 36 - Creating paroles board, as amended in House 1/23. Reported favorably.
HB 74 - Adopting new G.S. Vol. III. Received from House; sent to Judiciary 1.

LOCAL BILLS

SB 56 - (Edgecombe) Recorder court divorce jurisdiction. Reported favorably.

HB 19 - (Polk) Tryon ABC officer jurisdiction. Passed second and third readings.
HB 40 - (Wayne) Court costs. Passed second and third readings.
HB 49 - (Hoke) Public drunkenness. Received from House; sent to Judiciary 2.
HB 50 - (Hoke) Vice recorder. Received from House; sent to Courts and Judicial Districts.
HB 52 - (Rockingham) Madison school land transfer. Received from House; placed on calendar; passed second and third readings.
HB 60 - (Caswell) Increasing recorder jurors summoned. Received from House; sent to Courts and Judicial Districts.
HB 81 - (New Hanover) Establishing law library. Received from House; sent to Judiciary 2.
HB 101- (Wake) Recorder court salaries. Received from House; sent to Judiciary 2.

BILLS RATIFIED

SB 7 - (Scotland) Education board appointment.
SB 8 - (Mecklenburg) County ABC board powers, as amended in Senate 1/15 and 1/20.

Next session of Senate: 10:00 a.m., Friday, January 30, 1953.

#

BULLETIN NO. 17
Thursday, January 29, 1953

Session: House -- 12 noon

PUBLIC BILLS INTRODUCED -- HOUSE

HB 133 - Introduced by Allen of Granville and others

"To amend G.S. 87-43 relating to licenses issued to electrical contractors." [Adds individuals to business firms and corporations eligible to secure licenses from Board of Examiners of Electrical Contractors. Retains requirement that such businesses have at least one person in their organizations qualified as an electrical contractor under G.S. Art. 4 of Ch. 87. Adds that such person must be regularly on active duty in the principal place of business, and that a qualified person who has passed the Board's examination must be regularly on active duty at any branch business to supervise electrical wiring or installations done by the branch business.] To Finance.

HB 134 - Introduced by Whitmire

"To expedite the placing of certain cases before the Supreme Court." [Adds to G.S. 1-277 provision that section is not to be construed as permitting appeals from interlocutory orders of superior courtjudges not affecting substantial rights, nor from determinations in such judges' discretion; but when a party conceives that such an order or determination has taken away or adversely affected a substantial right, such party may petition supreme court for writ of certiorari within 30 days of final entry of order or determination. Effective July 1, 1953.] To Judiciary 1.

HB 135 - Introduced by Goodman of Mecklenburg and others

"To render unnecessary objections to questions propounded by court or juror to witnesses." [Amends G.S. 1-206 to rewrite catch-line as "Objections and Exceptions" (instead of "Exceptions."). Adds paragraph making it unnecessary at any trial or hearing to object or except to any question asked a witness by court or juror. It is to be deemed that objection was made, overruled, and exception taken by each party.] To Judiciary 1.

HB 138 - Introduced by Taylor of Warren

"To amend G.S. 6-8 relating to itemized statements of bill of costs in criminal actions so as to make unnecessary the approval thereof by solicitors." [As title indicates.] To Judiciary 2.

LOCAL BILLS INTRODUCED -- HOUSE

HB 131 - (Person) Introduced by Satterfield

"Relating to rabies in Person County." [Removes county from those exempted from state-wide rabies control law to make Person County subject to that law.] To Agriculture.

HB 132 - (Wake) Introduced by Womble, Pou and Whitley

"To amend the charter of the Town of Holly Springs, in Wake County, for the purpose of correcting certain errors in the description of the corporate limits of said town." [Amends Sec. 3, Ch. 110, 1951 Session Laws to effect purpose indicated in title.] To Local Government.

HB 136 - (Vance) Introduced by Falkner

"To amend G.S. 9-25 relating to the manner of selecting the grand jury in Vance County." [Directs selection of 18 grand jurors at first superior court criminal term after Jan. 1, 1953. First 9 are to serve until first criminal term after Jan. 1, 1954 and second 9 until first such term after July 1, 1953. Thereafter 9 grand jurors will be selected at first criminal terms after first days of Jan. and July each year to serve until first criminal term after first days of Jan. and July respectively of each succeeding year.] To Judiciary 1.

HB 137 - (Catawba) Introduced by Leinbach
"Validating and ratifying the action of the town council of the town o Longview, North Carolina, in closing and abandoning a portion of 28th Street, SW. and authorizing conveyance by the town of Longview of the closed street area." [Citing fact that attempted conveyance did not comply with provisions of G.S. 13-9 (17), validates town council action and authorizes conveyance of indicated propety to owners of property abutting on the closed and abandoned street at private sal without public advertisement on terms set by council.] To Counties, Cities and Towns.

HOUSE CALENDAR ACTION

PUBLIC BILLS

SB 17 - Exempting armed forces from juries. Received from Senate; sent to Judiciary 1.
SB 39 - Reducing executors' renunciation period. Received from Senate; sent to Judiciary 1.

HB 34 - Educational institution licenses. Passed second and third readings.
HB 51 - Workmen's compensation dependency payments. Passed second and third readings.
HB 106- Partition commissioners' pay. Reported favorably.
HB 107- Bail pending appeal. Reported favorably.
HB 116- Insurance payments to CSC. Reported favorably.

LOCAL BILLS

SB 18 - (Person) Roxboro police jurisdiction. Passed second and third readings.
SB 25 - (Edgecombe) Tarboro desk sergeant jurisdiction. Passed second and third readings.

HB 13 - (Mitchell) Bakersville tax limits (House committee substitute 1/28). Passed second reading.
HB 35 - (Johnston) Four Oaks charter revision. Postponed to 2/2.
HB 48 - (Gaston) Authorizing surplus expenditure. Re-referred to Local Government
HB 52 - (Rockingham) Madison school land transfer. Passed second and third readings.
HB 59 - (Caswell) Jurors fees. Passed second and third readings.
HB 61 - (Caswell) Recorder court salaries. Passed second and third readings.
HB 65 - (Davidson) Lexington gas distribution control. Passed second and third readings.
HB 66- (Davidson) Lexington tax prepayment discounts. Passed second and third readings.
HB 67- (Robeson) Tax prepayment discounts. Amended to make October payment deduction read "1/2 of 1%" instead of "1/2 to 1%". Passed second and third readings.
HB 68 - (Robeson) Validating tax sales and agreements. Passed second and third readings.
HB 71 - (Mecklenburg) Postponing Charlotte orphanage street assessments. Passed second and third readings.
HB 72 - (Gaston) Increasing Gastonia court salaries. Passed second reading.
HB 73 - (Gaston) Gastonia ward election. Passed second and third readings
HB 75 - (Nash) Investing county funds. Passed second and third readings.
HB 76 - (Nash) Aiding charitable organizations. Postponed to 2/5.
HB 77 - (Nash) Election officials pay. Passed second and third readings.
HB 78 - (Nash) Insolvent list tax transfer. Passed second and third readings.
HB 83 - (Duplin) Abolishing county treasurer office. Passed second and third readings.
HB 85 - (Pitt) Extending Ayden limits. Passed second reading.
HB 93 - (Yancey) Transferring cases to recorder court. Passed second and third readings.

HB 4 - (Mitchell) Postponing revaluation. Passed second and third readings.
HB 5 - (Caswell) JP warrants and receipts. Postponed to 2/5.
HB 11 - (Montgomery) Star corporate limits. Passed second reading.
HB 14 - (Brunswick) Deputy sheriffs' pay. Passed second and third readings.
HB 15 - (Lenoir) Municipal-county court salaries. Passed second and third readings.
HB 17 - (Lenoir) Drawing jurors. Reported favorably.
HB 18 - (Lenoir) Rural fire protection. Passed second and third readings.
HB 23 - (Martin) Volunteer firemen's jury exemption. Reported favorably.
HB 26 - (Rowan) Jurors' fees. Reported favorably.
HB 27 - (Onslow) Validating JP acts. Reported favorably.

Next session of House: 10:00 a.m., Friday, January 30, 1953.

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INSTITUTE OF GOVERNMENT

LEGISLATIVE SERVICE

GENERAL ASSEMBLY OF NORTH CAROLINA

BULLETIN OF LOCAL LEGISLATION

P. O. Box 1658 **111 West Morgan St., Raleigh, N.C.** **Telephone** 3-5515

WEEKLY BULLETIN

Note: Included in this Bulletin is a digest of all local legislation introduced or acted upon by the General Assembly during the week ending January 31, 1953, **affecting your county or any municipality therein.**

UNION COUNTY

SB 55 - Introduced by Smith, Jan. 28

"To amend the charter of the city of Monroe so as to provide for the holding of primary elections for the nomination of candidates for the general municipal elections for said city." [Amends Monroe charter to provide for primary election for nomination of elective city officials, to be held under same rules as general election on third Saturday of April preceding general municipal election. Election judges and officials appointed for general election are to serve at primary when practicable. Candidates for nomination must file at least 15 days prior to primary and pay $5 fee, and names must be published once weekly for two successive weeks following filing date. Provides for form of ballot, printing and distribution to polling places by city clerk. Person qualified to vote at succeeding general election is qualified at primary. Provides for challenge of voters. Election judges must return results to clerk within 6 hours after polls close. Clerk and aldermen are to canvass returns publicly on day after primary and publish results at least once. Two candidates for mayor, 4 for aldermen, and 2 for any other elective office are to be chosen at primary and voted on at general election. The candidate for mayor, 3 candidates for aldermen, and candidate for other office receiving highest vote at general election are elected. If majority vote is cast for one candidate for mayor, 3 candidates for aldermen, and one candidate for other office at primary, only such candidates are to be placed on ballot for general election. General election is to be held on Tuesday after first Monday in May, 1953, and biennially thereafter.] To Election Laws and Senatorial Districts.

VANCE COUNTY

HB 136 - Introduced by Falkner, Jan. 29

"To amend G.S. 9-25 relating to the manner of selecting the grand jury in Vance County." [Directs selection of 18 grand jurors at first superior court criminal term after Jan. 1, 1953. First 9 are to serve until first criminal term after Jan. 1, 1954 and second 9 until first such term after July 1, 1953. Thereafter 9 grand jurors will be selected at first criminal terms after first days of Jan. and July each year to serve until first criminal term after first days of Jan. and July respectively of each succeeding year.] To Judiciary 1.

YANCEY COUNTY

HB 93 - Introduced by Atkins, Jan. 24 (Transferring cases to recorder court)

Jan. 29, passed House; Jan. 30, received in Senate; sent to Courts and Judicial Districts.

HOKE COUNTY

HB 49 - Introduced by Greene, Jan. 20 (Public drunkenness)
Jan. 28, passed House; Jan. 31, passed Senate.

HB 50 - Introduced by Greene, Jan. 20 (Vice recorder)
Jan. 28, passed House; Jan. 29, received in Senate; sent to Courts and Judicial Districts.

EDGECOMBE COUNTY

SB 25 - Introduced by Weeks, Jan. 22 (Tarboro desk sergeant jurisdiction)
Jan. 30, ratified.

SB 56 - Introduced by Weeks, Jan. 28

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Jan. 30, amended in Senate to change reference in title and text of bill from 1951 to 1947 Session Laws; passed Senate.

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"To amend Section 105 of Ch. 1184, Session Laws of North Carolina, 1949 (being the charter of the city of Raleigh); relating to assessments against abutting property owners for local improvements." [Rewrites cited section to provide (1) that city may classify streets according to their present or future use or the nature of the zoning classification of abutting property; (2) that assessments for cost of any improvement must be made "by uniform rule within the various classifications"; (3) that city is not required to assess abutting property owners for entire cost of improvements not chargeable to street and alley intersections but only for such part of cost as city may deem proper. Retains provision prohibiting assessment for cost of improvement twice within 10 years, unless the property owner shall request such improvement.] To Counties, Cities and Towns.

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"Amending Section 1, Chapter 857, Session Laws of 1951 relating to the salary of the recorder and prosecuting attorney for White Oak, Buckhorn, Cedar Fork and Leesville townships of Wake County." [Deletes provision that salary of prosecuting attorney can not exceed that of recorder in court named in title.]

Jan. 28, passed House; Jan. 31, passed Senate.

HB 132 - Introduced by Womble, Pou and Whitley, Jan. 29

"To amend the charter of the Town of Holly Springs, in Wake County, for the purpose of correcting certain errors in the description of the corporate limits of said town." [Amends Sec. 3, Ch. 110, 1951 Session Laws to effect purpose indicated in title.] To Local Government.

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Jan. 30, passed House; Jan. 31, received in Senate; sent to Counties, Cities and Towns.

INSTITUTE OF GOVERNMENT
Legislative Service
WEEKLY LEGISLATIVE SUMMARY
P. O. Box 1658 111 West Morgan St., Raleigh, N. C. January 30, 1953

NOTE: This is the third of a series of weekly summaries of the work of the North Carolina General Assembly of 1953. It is confined to discussions of matters of general interest and major importance.

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Finance and Appropriations

The introduction of a 1953 Revenue Bill late this week gave the joint finance committee a framework around which to consider proposed amendments to the State's tax structure. The bill itself contains only a slight change in the inheritance tax law and provides for a short form income tax return for persons earning less than $5000 a year under which a standard 10% deduction could be taken. The short form return was suggested to but not adopted by the 1951 legislature. The week also saw introduction of proposed amendments which would (1) give plumbing, heating and electrical contractors state-wide licenses, and (2) permit home-owners who sold one home and purchased another, either during the year prior to or subsequent to the sale, to report only the excess of the sale price over the purchase price as taxable income. The committee's days were taken up with explanations of the revenue schedules by staff members of the revenue department.

Meanwhile the joint appropriations committee continued hearings for state departments and agencies. Twenty-two departments and institutions ran requests for additional appropriations to more than $20 million over recommendations of the Advisory Budget Commission. Two more weeks of hearings are scheduled before the committee can settle down to the task of formulating their recommendations. In accordance with the new Senate and House rules, of course, the Senate and House Committees may meet separately after the hearings are concluded.

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Among the "lawyers" bills introduced during the week, only five are of widespread importance -- even to lawyers. Three of these effect revisions in criminal procedure: (1) permitting convicted criminals to give bail pending appeal in all but capital cases; (2) permitting probationers and persons under suspended sentence to give bond following arrest and pending court hearing; (3) eliminating provision authorizing juries to render verdicts of 2nd degree burglary when facts found are sufficient to constitute first degree burglary. The two remaining bills would, sooner or later, touch most N. C. citizens, alive or dead. The first permits creation of future interests in personalty, making it easier for persons to control disposition of property other than land by deed. The second permits, for the first time in this state, recovery for accidental injury where the person injured was partially responsible for the injury, but limits such recovery by permitting juries to award damages based on relative responsibility.

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A preferential primary election for presidential candidates, proposed in a Senate bill on Wednesday, recalled memories of last summer's presidential nominations. Although results would not be binding on delegates to national party conventions, provisions for filing of candidates by petition of any party member who can muster signatures of 5000 qualified voters, and for counting of write-in votes, guarantees that the choices of the majority of N. C. voters will be known, if not selected.

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Highway Safety

Legislators' attention is still directed to highway safety. One bill would bring automatic license suspensions varying from 60 to 120 days for drivers convicted of exceeding speed limits by more than 15 m.p.h., and from 90 days to six months for such offenders also convicted of reckless driving. If a driver arrested for drunken driving requests scientific analysis of his blood, a second bill provides that he is: (1) presumed not drunk if analysis shows .05% or less by weight of alcohol in his blood, and (2) presumed drunk if alcohol is .15% or more by weight. These presumptions would be determinative of the driver's guilt if not outweighed by contradictory evidence.

Local Government

The most significant development concerning local government is still a gleam in some legislators' eyes. The suggestion is that county commissioners be given authority to fix the salaries and fees of all county officials and employees. This could reduce by several hundred the number of local bills enacted by the General Assembly each session, but such legislation would be permissive, not mandatory. One concrete proposal introduced this week would permit municipalities incorporated since the last federal census to make estimates of their population for use by state agencies in allocating state funds to local governmental units.

Miscellaneous

Resolutions adopted by the 1941 and 1949 General Assemblies, endorsing a world federal government and calling on Congress to call a convention to propose amendments to U.S. Constitution authorizing negotiation with other nations relating to a world government, would be repealed by SR 66 introduced on Friday. A similar bill sponsored by the Daughters of the American Revolution in 1951 did not receive committee approval. Fox hunters who hunt for the sport of the chase and without guns or other weapons will be interested in HB 104 which seeks to exempt such hunters from purchasing licenses.

INSTITUTE OF GOVERNMENT

LEGISLATIVE SERVICE

GENERAL ASSEMBLY OF NORTH CAROLINA

BULLETIN OF LOCAL LEGISLATION

P. O. Box 1658 111 West Morgan St., Raleigh, N.C. Telephone 3-5515

WEEKLY BULLETIN

Note: **Included in this Bulletin is a digest of all local legislation introduced or acted upon by the General Assembly during the week ending** January 31, 1953, **affecting your county or any municipality therein.**

UNION COUNTY

SB 55 - Introduced by Smith, Jan. 28

"To amend the charter of the city of Monroe so as to provide for the holding of primary elections for the nomination of candidates for the general municipal elections for said city." [Amends Monroe charter to provide for primary election for nomination of elective city officials, to be held under same rules as general election on third Saturday of April preceding general municipal election. Election judges and officials appointed for general election are to serve at primary when practicable. Candidates for nomination must file at least 15 days prior to primary and pay $5 fee, and names must be published once weekly for two successive weeks following filing date. Provides for form of ballot, printing and distribution to polling places by city clerk. Person qualified to vote at succeeding general election is qualified at primary. Provides for challenge of voters. Election judges must return results to clerk within 6 hours after polls close. Clerk and aldermen are to canvass returns publicly on day after primary and publish results at least once. Two candidates for mayor, 4 for aldermen, and 2 for any other elective office are to be chosen at primary and voted on at general election. The candidate for mayor, 3 candidates for aldermen, and candidate for other office receiving highest vote at general election are elected. If majority vote is cast for one candidate for mayor, 3 candidates for aldermen, and one candidate for other office at primary, only such candidates are to be placed on ballot for general election. General election is to be held on Tuesday after first Monday in May, 1953, and biennially thereafter.] To Election Laws and Senatorial Districts.

VANCE COUNTY

HB 136 - Introduced by Falkner, Jan. 29

"To amend G.S. 9-25 relating to the manner of selecting the grand jury in Vance County." [Directs selection of 18 grand jurors at first superior court criminal term after Jan. 1, 1953. First 9 are to serve until first criminal term after Jan. 1, 1954 and second 9 until first such term after July 1, 1953. Thereafter 9 grand jurors will be selected at first criminal terms after first days of Jan. and July each year to serve until first criminal term after first days of Jan. and July respectively of each succeeding year.] To Judiciary 1.

YANCEY COUNTY

HB 93 - Introduced by Atkins, Jan. 24 (Transferring cases to recorder court)

Jan. 29, passed House; Jan. 30, received in Senate; sent to Courts and Judicial Districts.

HOKE COUNTY

HB 49 - Introduced by Greene, Jan. 20 (Public drunkenness)
Jan. 28, passed House; Jan. 31, passed Senate.

HB 50 - Introduced by Greene, Jan. 20 (Vice recorder)
Jan. 28, passed House; Jan. 29, received in Senate; sent to Courts and Judicial Districts.

EDGECOMBE COUNTY

SB 25 - Introduced by Weeks, Jan. 22 (Tarboro desk sergeant jurisdiction)
Jan. 30, ratified.

SB 56 - Introduced by Weeks, Jan. 28

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INSTITUTE OF GOVERNMENT
Legislative Service
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INSTITUTE OF GOVERNMENT

LEGISLATIVE SERVICE

GENERAL ASSEMBLY OF NORTH CAROLINA

DAILY BULLETIN

P. O. Box 1658 111 West Morgan St., Raleigh, N. C. Telephone 3-5515

BULLETIN NO. 18
Friday, January 30, 1953

Session: Senate -- 10:00 a.m.

PUBLIC BILLS INTRODUCED -- SENATE

SB 64 - Introduced by Rankin and others

"To amend G.S. 113-5, relating to the appointment and terms of office of members of the board of conservation and development." [Effective 1 July, 1953, amends G.S. 113-5 to provide that terms of office of present members of board of conservation and development are to expire at midnight on 30 June, 1953. Directs Governor to appoint new board of 15 members on 1 July, 1953. Five members are to be appointed for 2 year terms, 5 for 4 year terms, and 5 for 6 year terms; successors are to be appointed for 6 year terms.] To Conservation and Development.

SB 65 - Introduced by Currie

"To amend and supplement 'The Revenue Act', being subchapter I of Chapter 105 of the General Statutes." [Amends G.S. 105-16, relative to interest rate imposed on unpaid inheritance taxes, to provide that 6% interest shall be computed from 15 months, instead of 12, after the tax becomes payable. Amends G.S. 105-147 relating to income tax deductions allowable, by adding subsection 15 which permits person receiving gross taxable income not in excess of $5000: (a) to file a short form, under regulations to be prescribed by Commissioner of Revenue; (b) to take a deduction of 10% of gross taxable income in lieu of itemizing deductions. If both spouses have income taxable in North Carolina and one elects to take 10% deduction "other spouse must also take such standard deduction." Provides for printing and distribution of codified state revenue laws. With respect to acts and transactions covered by present revenue laws occuring prior to July 1, 1953, and criminal or civil liabilities incurred or which ought to have been incurred from such acts and transactions prior to July 1, 1953, the present revenue laws continue in effect notwithstanding any repeal express or implied from these amendments. Effective July 1, 1953.] To Finance.

SR 66 - (Joint Resolution) Introduced by Whitfield

"Rescinding Resolution No. 24, adopted by the General Assembly of 1941, and Resolution No. 37, adopted by the General Assembly of 1949, memorializing the Congress of the United States concerning certain proposed constitutional amendments authorizing the United States to negotiate with other nations relating to a world federal government with limited powers adequate to assure peace." [Citing changed world conditions and non-feasibility of a world federal government for best interests of U. S. and people of world, rescinds cited resolutions which endorse a world federal government and memorialize congress to call convention to consider (1) constitutional amendments authorizing U.S. to negotiate with other nations a constitution for world federal government or (2) amendments appropriate to ratify a world constitution.] To Interstate and Federal Relations.

SENATE CALENDAR ACTION

PUBLIC BILLS

SB 38 - Administering oaths of office. Passed second and third readings.
SB 40 - Confirming personal property partitions. Passed second and third readings.
SB 58 - Probationer bonds after arrest. Passed second and third readings.
SB 60 - Defining conviction for driver's license act. Reported unfavorably.

HB 34 - Educational institution licenses. Received from House; sent to Education.
HB 36 - Creating paroles board, as amended in House 1/23. Passed second and third readings.
HB 51 - Workmen's compensation dependency payments. Received from House; sent to Judiciary 1.

LOCAL BILLS

SB 56 - (Edgecombe) Recorder court divorce jurisdiction. Amended to change reference in title and text of bill from 1951 to 1947 Session Laws; passed second and third readings.

HB 49 - (Hoke) Public drunkenness. Reported favorably.
HB 59 - (Caswell) Jurors fees. Received from House; sent to Courts and Judicial Districts.
HB 61 - (Caswell) Recorder court salaries. Received from House; sent to Courts and Judicial Districts.
HB 65 - (Davidson) Lexington gas distribution control. Received from House; sent to Counties, Cities and Towns.
HB 66 - (Davidson) Lexington tax prepayment discounts. Received from House; sent to Counties, Cities and Towns.
HB 68 - (Robeson) Validating tax sales and agreements. Received from House; sent to Counties, Cities and Towns.
HB 71 - (Mecklenburg) Postponing Charlotte orphanage street assessments. Received from House; sent to Counties, Cities and Towns.
HB 73 - (Gaston) Gastonia ward election. Received from House; sent to Counties, Cities and Towns.
HB 75 - (Nash) Investing county funds. Received from House; sent to Counties, Cities and Towns.
HB 77 - (Nash) Election officials pay. Received from House; sent to Counties, Cities and Towns.
HB 78 - (Nash) Insolvent list tax transfer. Received from House; sent to Counties, Cities and Towns.
HB 83 - (Duplin) Abolishing county treasurer office. Received from House; sent to Counties, Cities and Towns.
HB 93 - (Yancey) Transferring cases to recorder court. Received from House; sent to Courts and Judicial Districts.
HB 94 - (Mitchell) Postponing revaluation. Received from House; sent to Finance.
HB 101- (Wake) Recorder court salaries. Reported favorably.
HB 114- (Brunswick) Deputy sheriffs pay. Received from House; sent to Counties, Cities and Towns.
HB 115- (Lenoir) Municipal-county court salaries. Received from House; sent to Courts and Judicial Districts.
HB 118- (Lenoir) Rural fire protection. Received from House; sent to Counties, Cities and Towns.

Next session of Senate: For consideration of local bills only, 9:30 a.m., Saturday, January 31, 1953.

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BULLETIN NO. 18
Friday, January 30, 1953

Session: House -- 10:00 a.m.

PUBLIC BILLS INTRODUCED -- HOUSE

HB 139 - Introduced by Umstead

"To amend G.S. 131-121 so as to provide funds for loans to medical students and student nurses who are residents of this state and who are specializing in psychiatry at the three medical schools in this state." [Amends G.S. 131-21 to provide for: (1) Loans to medical and nursing students specializing in psychiatry at any of the three medical schools in state, not to exceed $2000 per scholastic year and not to be granted to any one person for more than four years. (2) Repayment of such loans in two ways: (a) cash repayment plus interest at 4% per annum: (b) receiving credit, under rules to be promulgated by the Medical Care Commission, for amount of one year's loan for each year of service as staff member of Butner, Goldsboro, Morganton, or Raleigh state mental hospital. (3) Appropriation of $50,000 for each year of 1953-1955 biennium to finance loans made, such funds to be deposited by the State Treasurer in a separate account and withdrawn upon request of Medical Care Commission. Appropriations would not lapse at the end of any biennium.] To Mental Institutions.

HB 140 - Introduced by Edwards

"To amend G.S. 113-5 relating to the appointment and terms of office of members of the board of conservation and development." [Identical with SB-64, digested in Senate section of today's bulletin.] To Conservation and Development.

HB 141 - Introduced by Taylor of Buncombe, Jordan and Young

"An act to authorize counties to levy a privilege or license tax on persons who sell by means of auction sale articles containing hidden value." [Adds G.S. 85-27 to authorize counties to levy a tax not in excess of $100 on each business selling at auction articles containing hidden value as defined in that chapter.] To Finance.

HB 142 - Introduced by Whitmire

"To amend Chapter 1052 of the Session Laws of 1949, relating to the membership of the Judicial Council." [Amends cited act to (1) permit Attorney General to designate member of his staff to serve on Council in his stead; (2) direct chief justice of supreme court to appoint two superior court solicitors to council; and (3) provide that all appointed or designated members of Council shall be appointed on or after July 1 of odd-numbered years for two year terms, ending June 30 of odd-numbered years. Members are eligible for redesignation or reappointment if they retain qualifications set forth in cited act.] To Judiciary 1.

HB 143 - Introduced by Blue and Yarborough

"To further promote highway safety by providing for the mandatory suspension of a driver's license upon conviction of excessive speeding and reckless driving." [Adds new section following G.S. 20-16 to require motor vehicles department to suspend automatically for 60 days license of any operator or chauffeur convicted of exceeding by more than 15 miles per hour the speeding limits set out in G.S. 20-218, (35-mile limit for school buses), G.S. 20-141(b-3)(45-mile limit for trucks), or G.S. 20-141(b-4)(55-mile limit for other vehicles). On conviction for second or subsequent offense within one year of first or prior offense, license is to be suspended automatically for 120 days(but first or prior offense must occur subsequent to July 1, 1953). Requires department to suspend automatically for 90 days license of any operator or chauffeur convicted of one of speeding offenses specified above and of reckless driving on same occasion. On conviction for second or subsequent offense within one year of first or prior offense, license is to be suspended automatically for six months (but first offense must occur subsequent to July 1, 1953). Effective July 1, 1953.] To Roads and Highway Safety.

HOUSE CALENDAR ACTION

PUBLIC BILLS

HB 106 - Partition commissioners pay. Passed second and third readings.
HB 107 - Bail pending appeal. Passed second and third readings.
HB 112 - Burglary verdicts. Reported favorably as amended.
HB 116 - Insurance payments to CSC. Re-referred to Judiciary 2.

LOCAL BILLS

HB 13 - (Mitchell) Bakersville tax limits (House committee substitute 1/28). Passed third reading.
HB 65 - (Davidson) Lexington gas distribution control. Recalled from Senate.
HB 72 - (Gaston) Increasing Gastonia court salaries. Passed third reading.
HB 85 - (Pitt) Extending Ayden limits. Passed third reading.
HB 111 - (Montgomery) Star corporate limits. Re-referred to Counties, Cities and Towns.
HB 117 - (Lenoir) Drawing jurors. Passed second and third readings.
HB 123 - (Martin) Volunteer firemen's jury exemption. Passed second and third readings.
HB 126 - (Rowan) Jurors fees. Passed second and third readings.
HB 127 - (Onslow) Validating JP acts. Passed second and third readings.
HB 130 - (Henderson) Officials salaries. Reported favorably.

BILLS RATIFIED

SB 18 - (Person) Roxboro police jurisdiction.
SB 25 - (Edgecombe) Tarboro desk sergeant jurisdiction.

HB 19 - (Polk) Tryon ABC officer jurisdiction.
HB 40 - (Wayne) Court costs.
HB 52 - (Rockingham) Madison school land transfer.

Next session of House: For consideration of local bills only, 10:00 a.m., Saturday, January 31, 1953.

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INSTITUTE OF GOVERNMENT
Legislative Service

WEEKLY LEGISLATIVE SUMMARY

P. O. Box 1658 111 West Morgan St., Raleigh, N. C. January 24, 1953

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Inaugural festivities, state and national, are out of the way. Lt. Governor Hodges went to Washington the first part of the week to represent Governor William B. Umstead and North Carolina at the presidential inauguration. The Governor, meanwhile, weathered a slight attack of flu early in the week and the bulletins from his hospital room continue to be encouraging.

House Speaker Eugene Bost announced his committee assignments on Monday night, and committees in both houses have organized. The appropriations committees have begun joint hearings at which heads of state departments and agencies are making additional requests for funds. The rate of bill introductions, while slightly behind the rate for the same number of legislative days in 1951, has speeded up and reached an early-session peak with 47 introductions on Thursday alone. The General Assembly is now genuinely at work.

Appropriations and Finance

Following announcement of House committee assignments on Monday, the joint appropriations committee immediately got down to business. On Tuesday the committee heard Assistant Director of the Budget Coltrane explain the Advisory Budget Commission's biennial report and on Wednesday held the first of a series of public hearings on the $637 million appropriations and permanent improvement bills. At the end of two days hearings over $6.9 million in additional funds had been requested by the state departments and agencies appearing before the committee. The last scheduled appearance is now set for February 17.

The joint finance committee also heard Mr. Coltrane's explanation of the budget this week, and on Tuesday received a bill (HB 54), introduced by Representative Turner, designed to remove the 3% tax now levied on retail sales of farm machinery. Under the provisions of the bill sales of farm machinery would be taxed at the wholesale rate of 1/20 of 1% as now provided for mill machinery. Although Governor Umstead suggested in his inaugural address that the list of sales tax exemptions be re-examined if anticipated state revenues are insufficient to meet essential state services in the 1953-55 biennium, HB 54 would add an exemption calculated to cost the state $900,000 per year in sales taxes.

Constitutional Amendments

Three constitutional amendments, which would require approval of the people at the next general election, have already been proposed. The first would amend Article II, section 4, so that, even if the General Assembly should heed the clear constitutional mandate to reapportion the state's senatorial districts, no county could elect more than one senator. Thus reapportionment would not increase urban representation strictly in proportion to population. The second would amend Article X, section 1, to permit garnishment up to 10% of any person's earnings even though these earnings include part of the $500 personal property exemption. The third, introduced by the Assembly's oldest member, 86-year-old Senator Crawford, revives a war-born but continuing issue and would lower the voting age from 21 to 18.

Public Schools

Bills introduced this week concern ticklish public school problems. One proposal would assure teachers an annual 14 days sick leave with pay. State officials estimate $850,000 a year would be required to hire substitute teachers if this policy is adopted. Two other measures would require the SH&PWC to maintain school driveways, to provide and maintain school parking areas, and to maintain on an equal basis all roads connecting schools with state maintained highways. Perhaps the most controversial proposal would, under certain conditions, prohibit the consolidation of public high schools in Bertie County without the consent of the county board of education and a majority of the parents of pupils attending the schools. Moreover, any school closed since January 1, 1951 which could not be closed under the conditions set out in this bill would be permitted to reopen. If this bill is approved, others to take care of similar controversial consolidations may be expected.

Highway Safety

Motor Vehicles Commissioner Fisher has announced a legislative program for his department and next week will send to the General Assembly a bill calling for semi-annual mechanical inspections to be performed by private garages. Legislators haven't waited for this program. Instead four bills aimed at vehicle drivers and three directed at vehicle equipment were introduced this week. If these bills pass, drunken drivers caught a second time won't be permitted to pay a fine but will go to jail for 60 days to 6 months, and for a third offense will serve from 6 months to 2 years. First offense reckless drivers will pay a minimum fine of $50 or go to jail, or both, in the discretion of the court, and pay at least $100 or go to jail, or both, for the second or more convictions within 2 years after the first. Speeders will be more at the mercy of the judge than before, because the $100 and 60 day jail maximums will be removed. Persons who collide with parked cars and fail to notify the owner or the police will be guilty of a misdemeanor, punishable in the judge's discretion.

Another bill makes discretionary instead of mandatory the power of the motor vehicles department to impose a double period of suspension or revocation when a person is caught driving after his license has been suspended or revoked. Bills aimed at the equipment of vehicles include one requiring turn signals on vehicles made after January 1, 1954; one requiring tobacco hogsheads to be secured by wire rope or metal chains (tarpaulins or ropes will no longer do); and one making it unlawful to drive a vehicle (on the highway) which is altered from the manufacturer's specifications so as to increase its speed.

Flower bulb growers but not growers of nursery products will be able to buy farmer license plates for their trucks (at one-half present rate for trucks) if HB 44 is enacted.

GENERAL STATUTES COMMISSION PROPOSALS

On Thursday a Senate judiciary committee was assigned the 17 bills embodying recommendations of the General Statutes Commission. Although unintelligible to most non-lawyers, the bills proposed a number of important legal revisions, including: (1) revision of the law of wills and the incorporation of documents in wills by reference; (2) provision for an additional method of employing instruments to secure future advances or obligations; (3) clarification and listing of places where security instruments must be registered, and provision for registration of instruments dealing with fixtures; (4) creation of a statutory method of establishing joint bank accounts with right of survivorship, and amplification of laws authorizing attachment of contents of safe deposit boxes; and (5) description of procedure to be followed for constructive service of process, kinds of action in which such service may be had, and persons upon whom such service may be made.

INSTITUTE OF GOVERNMENT

LEGISLATIVE SERVICE

GENERAL ASSEMBLY OF NORTH CAROLINA

DAILY BULLETIN

P. O. Box 1658 111 West Morgan St., Raleigh, N. C. Telephone 3-5515

BULLETIN NO. 19
Monday, February 2, 1953

NOTE

The Senate convened at 9:30 a.m., Saturday, January 31, to consider local bills only. Two local bills introduced and calendar action taken on Saturday are included in this bulletin.

Session: Senate -- 8:00 p.m.

PUBLIC BILLS INTRODUCED -- SENATE

SB 73 - Introduced by Hodges by request

"To amend Chapter 163 of the General Statutes of North Carolina relating to the election laws." [Repeals G.S. 163-6 which provides for special election to fill vacancies in General Assembly occurring by death, resignation, or otherwise; substitutes in lieu thereof new G.S. 163-6 to provide for filling vacancies by appointment by Governor of person recommended by county executive committee of political party with which deceased or resigned member was affiliated at time of election. Amends G.S. 163-12 to increase compensation of members of county boards of election from $5 to $10 per day and of chairmen of election boards from $7 to $10 per day when actually engaged in discharge of duties. In lieu of compensation fixed by act, permits a county board of commissioners to pay chairman of election board additional compensation or straight salary as agreed upon by such chairman and county commissioners. Amends G.S. 163-15, relating to appointments of registrars and election judges, to delete provision permitting county boards of election to appoint assistants for precincts where there are more than 300 registered voters; amends G.S. 163-181 to permit county boards of election to appoint one clerk or assistant for each 500 registered voters at any precinct where voting machines are used; if voting machines are not used, permits appointment of one clerk or assistant for each 300 registered voters at such precinct. Amends G.S. 163-25(g) to provide that any student, who does not intend to become permanent resident of county in which he attends school, is to be considered resident of county or state of his parents or other relatives for voting purposes and is not entitled to vote in county where school is located. Amends G.S. 163-31 to permit a county election board, by official board action, to open registration books at a designated office in any city with population over 50,000 at an earlier date than fourth Saturday before each election. Election board must appoint sufficient number of qualified electors as general registrars to register all qualified applicants daily, except Sunday, registrations to be recorded in appropriate precinct registration books; such registrars are to be paid $10 per day. Such city registration is to end at 8 p.m. on fifth Saturday preceding primary or election; registration books are thereafter to be distributed to various precinct registrars prior to fourth Saturday preceding primary or election for registration to continue as presently provided. Amends G.S. 163-46 relating to use of new general registration books (directed by 1949 General Assembly) to delete provision which prohibits transcribing from old to new general registration books names of persons known to be dead or to have moved residences and which directs registrar to permit any person to vote whose name has been removed from book because of removal of residence but who appears on election day and satisfies registrar of right to vote in that precinct. Amends G.S. 163-159 to make it a misdemeanor, punishable by fine in discretion of court, for any person in connection with any primary or election to print a sample state, county or township ballot on white paper the same as official ballots.] To Election Laws and Senatorial Districts.

SB 74 - Introduced by Hodges by request

"To amend section 163-175 of the General Statutes of North Carolina so as to clarify the manner in which a voter may vote for group candidates on a ballot in a general election." [Amends G.S. 163-175(2) to provide for two additional situations where elector marks his ticket in a party circle at top of ballot and then attempts to vote for one or more individuals for an office where each party has two or more candidates (such as for two or more county commissioners). (1) Where elector marks party circle and then votes for one or more of group of candidates of another party on opposite side of ballot, he must vote individually for each candidate of his choice for that office, including those from party whose circle he has marked at top of ballot. Votes will be counted only for candidates individually marked. Provision applies only to situations where votes are cast for group candidates. (2) Where elector marks party circle and then votes for one or more individual candidates on ticket of same party marked in circle, such individual votes are to be treated as surplusage and ballot counted as vote for all candidates from party.] To Election Laws and Senatorial Districts.

SB 75 - Introduced by Hodges by request

"To clarify the provisions of Section 163-67 of the General Statutes of North Carolina relating to the issuance of blank absentee application forms by a chairman of a county election board." [Deletes from G.S. 163-67 provision that chairman of county board of elections may deliver blank application to any elector applying and substitutes provision that chairman may deliver blank applications to (1) voter or member of his immediate family named in G.S. 163-55, (2) voter's agent bearing written authority from voter to chairman to obtain application, (3) voter's agent without written authority but who gives chairman written statement that voter has constituted him agent to obtain application, and (4) representatives of institutions such as hospitals or homes for aged and infirm with list of patients desiring applications.] To Election Laws and Senatorial Districts.

SB 76 - Introduced by Hodges by request

"To amend Section 163-199 of the General Statutes of North Carolina relating to investigations and prosecutions of election law violations." [Rewrites G.S. 163-199. Makes it duty of S.B.I., on request of Governor, State Board of Elections, Attorney General, or any superior court solicitor, to investigate criminal violations of G.S. Ch. 163. If from SBI's investigation or otherwise there are reasonable grounds to believe criminal violation has taken place, makes it duty of superior court solicitor in district in which violation occurs to prosecute offender if offense is within exclusive jurisdiction of superior court; if offense is in concurrent jurisdiction of superior court and inferior criminal court, prosecuting attorney of inferior court must prosecute case if instituted in inferior court, solicitor if instituted in superior court; on appeal to superior court from inferior court, superior court solicitor must prosecute. If investigation shows that felony may have been committed, superior court of county in which offense committed has jurisdiction, but, on motion of solicitor, case may be transferred to some other county in district or in any adjoining district if solicitor feels ends of justice require removal. Grand jury of any county in district or in any adjoining district may return bill of indictment forwarded by solicitor of district in which offense constituting a felony under G.S. Ch. 163 took place, and case is triable in county where bill of indictment is found or may be removed to some other county in district or adjoining district. If Governor and State Board of Elections feel ends of justice necessitate, they may call on Attorney General to prosecute any case constituting a felony, and Attorney

General is given same authority as solicitor in presenting bill of indictment, prosecuting action, and removing trial to another county. On appeal to supreme court, Attorney General may, with approval of Governor, employ special counsel to assist, cost to be paid from Contingency and Emergency Fund. Gives superior court concurrent jurisdiction with any inferior court over any violation of G.S. Ch. 163 amounting to misdemeanor, whether or not general or local laws now give exclusive jurisdiction to inferior court in misdemeanor cases.] To Election Laws and Senatorial Districts.

SB 77 - Introduced by Hodges by request

"To amend section 163-22 of the General Statutes of North Carolina making it mandatory upon a county board of elections to divide a precinct when any precinct reaches a total registration of fifteen hundred." [Amends G.S. 163-22 to require that county boards of election examine precinct registration books at least 60 days prior to any general election; if 1500 or more persons are registered in any precinct, the board must divide the precinct so that no more than 1500 persons are registered in any one precinct. Board must either order new registration in the divided precinct or direct a transfer of names from old to new registration books.] To Election Laws and Senatorial Districts.

SB 78 - Introduced by Hodges by request

"To amend Section 163-77.1 of the General Statutes of North Carolina so as to permit the wife of a serviceman residing with her husband outside of the county of the husband's residence; a discharged, disabled war veteran in a government hospital; and a civilian attached to and serving with the armed forces of the United States, to register by mail and vote an absentee ballot in statewide primaries and elections held in this state." [As title indicates.] To Election Laws and Senatorial Districts.

LOCAL BILLS INTRODUCED -- SENATE

SB 67 - (Iredell) Introduced by Henkel, 1/31

"To amend Chapter 243, Private Laws of North Carolina, Session 1911, as amended, the same being the charter of the City of Statesville, Iredell County, to provide for the nomination of elective officials by a primary election." [Amends Sec. 4 of cited chapter, relating to Statesville charter, to provide for the nomination of all elective officials by a primary election to be held on fourth Saturday in March preceding each general municipal election. Board of aldermen is to appoint city election board to consist of 3 members, no more than 2 of whom can be from same political party. Members of election board serve at pleasure of aldermen. Directs election board to call all city primaries and general elections and to appoint officials therefor.] Passed three readings and sent to House.

SB 68 - (Iredell) Introduced by Henkel, 1/31

"To amend the charter of the City of Statesville, Iredell County, North Carolina, by rewriting Section 3 thereof as amended, and to divide said city into six wards." [Amends Sec. 3, Ch. 243, 1911 Private Laws (as amended), relating to Statesville charter, to provide for and set the boundaries of six, instead of four, wards. Each ward provided for is to be represented by one alderman.] Passed three readings and sent to House.

SB 69 - (Graham) Introduced by Crawford

"To prohibit fishing with trot lines in Santeetlah lake in Graham County." [Makes it misdemeanor to take fish by means of trot line in Santeetlah lake; each day any person allows trot line or takes fish therefrom is a separate offense.] To Wildlife.

SB 70 - (Graham) Introduced by Crawford

"To fix the hours of the policemen of the town of Robbinsville." [Provides that Robbinsville be policed by town policemen from 8:00 p.m. to 5:00 a.m. and during daylight hours by the sheriff of Graham county.] To Counties, Cities and Towns.

SB 71 - (Clay and Swain) Introduced by Crawford

"To fix the compensation to be paid the jailors of Clay and Swain Counties for furnishing meals to prisoners and to fix the turnkey fee for such jailors." [On or after first Monday in March, 1953, provides for fee of 50¢ to be paid to county jailors by boards of county commissioners for each meal furnished to any prisoner or person lawfully committed and in custody of jailors, and turnkey fee of 50¢ for each prisoner or person committed to or discharged from county jails or placed in custody of jailors. Fees are to be paid weekly or monthly in discretion of the boards of county commissioners.] To Counties, Cities and Towns.

SB 72 - (Graham) Introduced by Crawford

"To provide for an attendance officer to enforce the compulsory school law of Graham County." [Directs county board of education and trustees of any city administrative unit in county either (1) to employ and pay full-time attendance officer as authorized by G.S. 115-304 or (2) to employ part-time attendance officer to be paid up to $50 per month from the local funds described in G.S. 115-304. Makes it unlawful for any public school teacher in county to fail to report pupil absences.] To Education.

SB 79 - (Franklin) Introduced by Hobgood

"Relating to the establishment of special school taxing units for the purpose of authorizing the issuance of school bonds and to levy taxes within such special taxing units for the payment of said bonds, by amending Chapter 279 of the Public-Local Laws of 1937 and making said act applicable to Franklin County, and repealing Chapter 601 of the Public-Local Laws of 1937." [Makes Franklin County subject to Ch. 279, 1937 Public-Local Laws instead of Ch. 559, 1935 Public-Local Laws as enabling legislation for establishment of special school taxing districts authorized to issue school bonds. Results in following changes: (1) permits issuance of notes as well as bonds; (2) provides for approval of bonds or notes by majority of votes cast instead of majority of registered voters; (3) removes school bond debt limitation of 8% of assessed valuation in district (in computing indebtedness, proportionate part of county school debt was included); (4) authorizes county to pay indebtedness contracted for benefit of district, with N. C. Literary Fund, special state building funds, or "any other source" either exclusively from taxes levied in district benefited or from county funds.] To Counties, Cities and Towns.

SENATE CALENDAR ACTION

PUBLIC BILLS

SB 16 - Defining step-child for adoption law. Reported favorably as amended.
SB 44 - Delegating county welfare board powers. Reported favorably.

HB 100 - Plat probate and registration, as amended in House 1/28. Received from House; sent to Judiciary 2.
HB 106 - Partition commissioners pay. Received from House; sent to Judiciary 2, 1/31.
HB 107 - Bail pending appeal. Received from House; sent to Judiciary 2, 1/31.

LOCAL BILLS

SB 67 - (Iredell) Statesville primary election. Passed three readings, 1/31.
SB 68 - (Iredell) Increasing Statesville wards. Passed three readings, 1/31.

HB 13 - (Mitchell) Bakersville tax limits (House committee substitute 1/28). Received from House; sent to Counties, Cities and Towns, 1/31.
HB 49 - (Hoke) Public drunkenness. Passed second and third readings, 1/31.
HB 65 - (Davidson) Lexington gas distribution control. Withdrawn from Counties, Cities and Towns; returned to House on request.
HB 67 - (Robeson) Tax prepayment discounts, as amended in House 1/29. Received from House; sent to Finance.

HB 72 - (Gaston) Increasing Castonia court salaries. Received from House; sent to Counties, Cities and Towns, 1/31.
HB 85 - (Pitt) Extending Ayden limits. Received from House; sent to Counties, Cities and Towns, 1/31.
HB 101 - (Wake) Recorder court salaries. Passed second and third readings, 1/31.
HB 117 - (Lenoir) Municipal-county court salaries. Received from House; sent to Courts and Judicial Districts, 1/31.
HB 123 - (Martin) Volunteer firemen's jury exemption. Received from House; sent to Courts and Judicial Districts, 1/31.
HB 126 - (Rowan) Jurors fees. Received from House; sent to Courts and Judicial Districts, 1/31.
HB 127 - (Onslow) Validating JP acts. Received from House; sent to Judiciary 2, 1/31.
HB 130 - (Henderson) Officials salaries. Received from House; sent to Salaries and Fees.

Next session of Senate: 12 noon, Tuesday, February 3, 1953.

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BULLETIN NO. 19
Monday, February 2, 1953

NOTE
The House convened at 10:00 a.m., Saturday January 31, to consider local bills only. No bills were introduced; calendar action taken is included in this bulletin.

Session: House -- 8:00 p.m.

PUBLIC BILLS INTRODUCED -- HOUSE

HB 144 - Introduced by Rodman by request

"To amend and supplement 'The Revenue Act', being subchapter I of Chapter 105 of the General Statutes." [Identical with SB 65, digested in Senate section of Bulletin No. 18 for Friday, Jan. 30.] To Finance.

HB 145 - Introduced by Whitmire

"To repeal Section 17-10 of the General Statutes of North Carolina relating to monetary penalties for refusing to grant application for the writ of habeas corpus and to provide that reasons for refusals of the application shall be reduced to writing." [Effective July 1, 1953, repeals cited section which provides that judge refusing to grant writ of habeas corpus when legally applied for forfeits $2,500 to aggrieved party. Provides that judge denying habeas corpus application must put reasons in writing and file reasons and application with CSC of county where illegal restraint is alleged to occur. Within 30 days after denial, persons aggrieved may petition supreme court for review by writ of certiorari.] To Judiciary 1.

HB 146 - Introduced by Adams

"To authorize the Department of Motor Vehicles to pay for breaking certain scales belonging to a private owner in Graham County while engaged in weighing trucks." [Citing unauthorized use and breaking of privately owned scales of C. W. Cape by state highway patrolman while weighing trucks, directs payment to Mr. Cape by motor vehicles department of $168 and appropriates to department same amount.] To Roads and Highway Safety.

HB 148 - Introduced by Taylor of Warren

"To amend G.S. 34-14.1 relating to the payment of pension funds to dependent relatives so as to include therein as relatives wife and children." [Adds "wife" and "children" to class specifically included within definition of term "relative" for purposes of payments (when approved by CSC and superior court judge), to such persons by guardians of insane or incompetent persons receiving federal pensions or other benefits due to military service. Validates prior orders for payments to any dependent relative under G.S. 34-14.1 as amended by this bill, if order is otherwise valid. Does not apply to pending litigation.] To Judiciary 2.

HB 152 - Introduced by Winkler

"To provide for an additional sales tax on the sale of soft drinks." [Adds G.S. 105-168.1 to provide for additional 1¢ tax per bottle, or container, on sale of soft drinks (as defined in G.S. 105-69), payable by retail merchants. Such merchants are to make reports and pay tax to Department of Revenue on or before 15th day of month following month in which tax accrues. Effective Jan. 1, 1954.] To Finance.

LOCAL BILLS INTRODUCED -- HOUSE

HB 147 - (Columbus) Introduced by Floyd

"To fix the terms of grand jurors in Columbus County." [Directs selection of 18 grand jurors at first superior court criminal term following July 1, 1953. First nine are to serve for one year and second nine for six months. Thereafter, nine grand jurors are to be selected at first criminal terms after first days of Jan. and July each year for one year terms.] To Judiciary 2.

HB 149 - (Cumberland) Introduced by O'Hanlon and Fisher

"To amend Chapter 73 of the Public Laws of 1941, relating to the salary of the coroner of Cumberland County." [Amends cited chapter to remove $1800 maximum on annual salary payable to coroner.] To Salaries and Fees.

HB 150 - (Cumberland) Introduced by O'Hanlon and Fisher

"To amend Chapter 147 of the Session Laws of 1951, relating to the salaries of rural policemen in Cumberland County." [Amends cited chapter to remove $250 maximum on monthly salary payable to rural policeman.] To Salaries and Fees.

HB 151 - (Cumberland) Introduced by O'Hanlon and Fisher

"To amend Chapter 218 of the Public-Local Laws of 1935, relating to the salary of the assistant to the solicitor of the Superior Court of Cumberland County." [Amends cited chapter to remove minimum of $75 and maximum of $100 on salary of assistant to superior court solicitor and to place amount of such salary within discretion of county commissioners.] To Salaries and Fees.

HB 153 - (Watauga) Introduced by Winkler

"To authorize the sheriff of Watauga County to enforce the general compulsory school attendance law in said county." [Authorizes sheriff to enforce compulsory school attendance laws contained in G.S. Ch. 115, Art. 42, as a special attendance officer, and to designate one of his deputies to perform such duties. Authorizes sheriff, or such designated deputy, to check and supervise speed of school buses. Directs supervision and checking of loading of children thereon, and reporting of findings on speeding and loading to county board of education. Directs county commissioners to fix salary payable to sheriff or his deputy for services rendered under this act, in such manner and at such times as the commissioners provide.] To Education.

HOUSE CALENDAR ACTION

PUBLIC BILLS

SB 38 - Administering oaths of office. Received from Senate; sent to Judiciary 1.
SB 40 - Confirming personal property partitions. Received from Senate; sent to Judiciary 2.

SB 58 - Probationer bonds after arrest. Received from Senate; sent to Judiciary 2.

HB 20 - Authorizing corporation certificate amendment (House committee substitute 1/27). Passed second and third readings.
HB 112 - Burglary verdicts. Amended to change effective date from ratification to July 1, 1953. Passed second and third readings.

LOCAL BILLS

SB 56 - (Edgecombe) Recorder court divorce jurisdiction, as amended in Senate 1/30. Received from Senate; sent to Judiciary 2.
SB 67 - (Iredell) Statesville primary election. Received from Senate; sent to Judiciary 1.
SB 68 - (Iredell) Increasing Statesville wards. Received from Senate; sent to Judiciary 1.

HB 35 - (Johnston) Four Oaks charter revision. Passed second reading.
HB 65 - (Davidson) Lexington gas distribution control. Received from Senate; vote by which bill passed second and third readings reconsidered; placed on roll call calendar.
HB 130 - (Henderson) Officials salaries. Passed second and third readings, 1/31.

Next session of House: 12 noon, Tuesday, February 3, 1953.

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INSTITUTE OF GOVERNMENT

LEGISLATIVE SERVICE

GENERAL ASSEMBLY OF NORTH CAROLINA

DAILY BULLETIN

P. O. Box 1658 111 West Morgan St., Raleigh, N. C. Telephone 3-5515

BULLETIN NO. 20
Tuesday, February 3, 1953

Session: Senate -- 12 noon

PUBLIC BILLS INTRODUCED -- SENATE

SB 81 - Introduced by Sanford

"To accept the retrocession of jurisdiction over the area within the Fort Bragg military reservation used by the State of North Carolina for Highway No. 87." [Accepts return by Congress of state jurisdiction, previously ceded to U.S., over that part of Highway No. 87 within Fort Bragg. Makes N. C. laws applicable concurrently with U.S. laws, instead of only U.S. laws being applicable.] To Judiciary 1.

SB 82 - Introduced by Hundley

"To amend G.S. 60-89 relating to the carriage of passengers by railroads." [Deletes G.S. 60-89, which sets maximun intrastate passenger rates to be charged by railroads doing business as common carriers in North Carolina, and in lieu thereof provides that N. C. Utilities Commission shall make reasonable rates and charges covering carriage of passengers by railroads in state and regulate same.] To Public Utilities.

SB 83 - Introduced by Bailey

"To amend Section 160-200(31) of the General Statutes relating to the use of parking meter receipts." [Amends G.S. 160-200(31), relating to municipal corporate powers, to provide that proceeds derived from parking meters may be used by cities to provide for acquisition, construction, reconstruction, improvement and operation of off-street parking facilities defined in G.S. 160-414(d) and may be pledged to amortize bonds or other evidences of debts issued for such purposes.] To Judiciary 2.

SB 84 - Introduced by Jones and Moore

"To amend section 108-32 of the General Statutes of North Carolina so as to delete therefrom provision relating to the disposition of checks payable to deceased recipients of old age assistance." [Effective June 30, 1953, repeals second paragraph of G.S. 108-32 which provides that checks, payable to deceased recipients of old age assistance, shall be endorsed by CSC and paid to spouses of deceased recipients, if living, or if not living, applied to funeral expenses of deceased recipients.] To Public Welfare.

LOCAL BILLS INTRODUCED -- SENATE

SB 80 - (Cumberland) Introduced by Sanford

"To authorize the board of county commissioners of Cumberland County to transfer sufficient funds from the Alcoholic Beverage Control fund to complete the revaluation of property in the county for tax purposes." [Authorizes transfer of no more than $20,000 for purpose indicated in title.] To Counties, Cities and Towns.

SB 85 - (Edgecombe) Introduced by Weeks

"Amending Section 1, Chapter 482, Session Laws of 1951, relating to jury trials in the recorder's court of Edgecombe County, and providing that no new bond shall be required for the defendant's appearance in the Superior Court." [Amends cited section to delete provision which permits court to require new bond when jury trial is demanded in recorder's court and case is transferred to superior court; provides that original bond is to bind defendant for appearance in superior court until case is disposed of.] To Judiciary 1.

SENATE CALENDAR ACTION

PUBLIC BILLS

SB 16 - Defining step-child for adoption law. Amendment adopted to define "step-child" as child of one spouse by a former union, whether or not such child was born in wedlock instead of whether such child is legitimate or illegitimate; passed second and third readings.
SB 44 - Delegating county welfare board powers. Passed second and third readings.
SB 52 - Confederate Woman's Home admissions. Reported favorably.
SB 57 - Committing mentally disordered. Reported favorably.
SB 59 - Population estimate as official census. Reported favorably.

HB 20 - Authorizing corporation certificate amendment (House committee substitute 1/27). Received from House; sent to Judiciary 2.

LOCAL BILLS

SB 43 - (Pitt) County commissioners terms of office. Reported favorably.
SB 50 - (Wake) Raleigh special assessment procedure. Reported favorably.
SB 54 - (Guilford) Financing High Point library. Reported favorably.
SB 55 - (Union) Monroe primary election. Reported favorably.
SB 62 - (Davidson) Thomasville councilman pay. Reported favorably.
SB 79 - (Franklin) Changing school district bond act. Reported favorably.

HB 13 - (Mitchell) Bakersville tax limits (House committee substitute 1/28). Reported favorably.
HB 14 - (Haywood) Clyde election date. Reported favorably.
HB 50 - (Hoke) Vice recorder. Reported favorably.
HB 59 - (Caswell) Jurors fees. Reported favorably.
HB 60 - (Caswell) Increasing recorder jurors summoned. Reported favorably.
HB 61 - (Caswell) Recorder court salaries. Reported favorably.
HB 66 - (Davidson) Lexington tax prepayment discounts. Reported favorably.
HB 68 - (Robeson) Validating tax sales and agreements. Reported favorably.
HB 71 - (Mecklenburg) Postponing Charlotte orphanage street assessments. Reported favorably.
HB 72 - (Gaston) Increasing Gastonia court salaries. Reported favorably.
HB 73 - (Gaston) Gastonia ward election. Reported favorably.
HB 75 - (Nash) Investing county funds. Reported favorably.
HB 77 - (Nash) Election officials pay. Reported favorably.
HB 78 - (Nash) Insolvent list tax transfer. Reported favorably.
HB 83 - (Duplin) Abolishing county treasurer office. Reported favorably.
HB 85 - (Pitt) Extending Ayden limits. Reported favorably.
HB 93 - (Yancey) Transferring cases to recorder court. Reported favorably.
HB 114 - (Brunswick) Deputy sheriffs pay. Reported favorably.
HB 118 - (Lenoir) Rural fire protection. Reported favorably.
HB 123 - (Martin) Volunteer firemen's jury exemption. Reported favorably.
HB 126 - (Rowan) Jurors fees. Reported favorably.

Next session of Senate: 12 noon, Wednesday, February 4, 1953.

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BULLETIN NO. 20
Tuesday, February 3, 1953

Session: House -- 12 noon

PUBLIC BILLS INTRODUCED -- HOUSE

HB 163 - Introduced by Whitmire

"To provide an additional regular resident superior court judge for the fourth, ninth, tenth, twelfth, fourteenth, and nineteenth judicial districts." [Amends G.S. 7-40 to provide for two regular superior court resident judges in the fourth, ninth, tenth, twelfth, fourteenth and nineteenth judicial districts. Provision relating to solicitors now in G.S. 7-40 is relocated under G.S. 7-43 without substantive change. Regular resident judges of named districts holding office upon ratification of this act and their successors are designated as resident judge No. 1, and additional judge for such districts as resident judge No. 2. 8 year term of office for additional judges begins Jan. 1, 1953. Governor is to appoint all additional judges to take office July 1, 1953, and their successors are to be elected at 1954 general election for unexpired term. Thereafter successors are to be elected and serve as other regular resident judges. Judges No. 1 and 2 have equal jurisdiction and status, but non-judicial duties placed on resident judges by constitution or statutes are to be discharged by judge senior in point of continuous superior court service, or if equal in service, the judge senior in age. Amends G.S. 7-46 to provide that a regular resident judge reaching a two-judge district in course of rotation remains for 12 months, and that similar seniority rules apply to two presiding judges in one district as to two resident judges. Retains provisions relating to rotation, residence, special and emergency judges, and assignment of judges by Chief Justice.] To Judiciary 1.

LOCAL BILLS INTRODUCED -- HOUSE

HB 154 - (Northampton) Introduced by Woodard

"To appoint W. C. Conner to succeed V. D. Strickland as a member of the Northampton County Board of Education." [As title indicates, appoints W. C. Conner to serve for unexpired term of V. D. Strickland.] Passed three readings and sent to Senate.

HB 155 - (Burke) Introduced by Vernon

"To amend G.S. 105-345 relating to ad valorem property tax penalties and discounts in Burke County." [Authorizes county commissioners to refuse tax prepayments before July 1. Sets out schedule of prepayment discounts and late payment interest as follows: (1) Discounts. If payment is made during (a) July, 2%; (b) August, 1 1/2%; (c) September, 1%; (d) October, 1/2%. (2) Interest. If payment is made (a) during February, 1%; (b) during March, 2%; (c) on or after April 1, 2% plus 1/2% per month (from April 1) or fraction thereof, until paid.] To Finance.

HB 156 - (Burke) Introduced by Vernon

"To authorize the Board of County Commissioners of Burke County to exempt volunteer firemen from the payment of poll tax to said county." [As title indicates.] To Finance.

HB 157 - (Forsyth) Introduced by Womble, Gobble and Stone

"To amend the charter of the City of Winston-Salem empowering the public school commissioners of Winston-Salem to elect the school treasurer who shall be some person other than the city treasurer." [Strikes from Sec. 46, Ch. 232, 1927 Private Laws, provision designating city treasurer as treasurer of school commissioners. Adds provision permitting commissioners to select a treasurer, other than the city treasurer.] To Counties, Cities and Towns.

HB 158 - (Forsyth) Introduced by Womble, Gobble and Stone

"Amending the charter of the City of Winston-Salem fixing the time for the holding of general and primary elections for the election of the mayor and board of aldermen of Winston-Salem." [Amends Ch. 60, 1933 Private Laws, as amended by Ch. 152, 1949 Session Laws to: (1) change date of biennial general municipal election from first Tuesday after first Monday in June to first Saturday in May; (2) change from 9:00 p.m. to sunset the hour for closing of precinct registration books on Saturday during registration period for primary or general elections; (3) change day for meeting of Board of Canvassers from next day after primary to Monday after primary, and place of such meeting from mayor's office to council chamber; (4) change date for qualification of elected officials from Monday to Friday after general municipal election; (5) change day by which ballots must be printed and in possession of secretary of board of aldermen from five to three days prior to election date; (6) provide that candidates not selected by primary election must file names with secretary of board of aldermen by third Friday, rather than second Tuesday, before general election; (7) provide that date for primary must be set by board of aldermen not later than second Saturday, rather than second Tuesday, before general election; and (8) change deadline for filing notice of candidacy for primary election from second Tuesday to third Friday before primary election.] To Counties, Cities and Towns.

HB 159 - (Caswell) Introduced by Warren

"To amend G.S. 14-401.5 relating to the practice of phrenology, palmistry, fortune telling, or clairvoyance." [G.S. 14-401.5 makes it a misdemeanor to engage in practices named in title, except in connection with school or church socials held in school or church buildings, and affixes as maximum penalty $500 fine, 1 year imprisonment, or both. This bill makes cited section applicable to Caswell County.] To Judiciary 2.

HB 160 - (Caswell) Introduced by Warren

"To amend G.S. 153-10 relating to the authority of county commissioners to interdict certain shows." [G.S. 153-10 authorizes boards of county commissioners to refuse to license carnivals, moving picture and vaudeville shows, and other amusement enterprises whenever in opinion of commissioners public welfare will be endangered. This bill makes cited section applicable to Caswell County.] To Judiciary 2.

HB 161 - (Duplin) Introduced by Carr

"To amend Chapter 114 of the Session Laws of 1951, relating to rewards for the capture of whiskey distilleries in Duplin County." [Amends Sec. 15 of cited act to provide that sheriff or other peace officer is to receive (1) $10.00 for his own use for every bona fide seizure of illicit stills; and (2) $25.00 reward, in lieu of all other such awards authorized by law, for seizure and destruction of illicit still when clerk of superior court or other court having final jurisdiction certifies that one or more of still operators were apprehended by sheriff or other officer and convicted, no appeal having been taken. Sec. 15 of cited act now provides for $25.00 reward for seizure and destruction of still when arrest is made and conviction had in conjunction therewith.] To Local Government.

HB 162 - (Clay) Introduced by Moore

"To appoint James Rogers a Justice of the Peace for Hayesville Township in Clay County." [As title indicates; appointment is for two years and appointee may qualify within 60 days after ratification.] Passed three readings and sent to Senate.

HOUSE CALENDAR ACTION

PUBLIC BILLS

SB 17 - Exempting armed forces from juries. Reported favorably.
SB 38 - Administering oaths of office. Reported favorably.
SB 40 - Confirming personal property partitions. Reported favorably.

SB 58 - Probationer bonds after arrest. Reported favorably.

HB 58 - Oxford orphanage charter amendment. Reported favorably.
HB 87 - Welfare certification services. Reported favorably.
HB 96 - Renaming prison records section. Reported favorably.
HB 108 - County tax for totally disabled. Reported favorably; re-referred to Finance.
HB 116 - Insurance payments to CSC. Reported favorably.
HB 135 - Automatic objections to court questions. Reported favorably.
HB 138 - Eliminating solicitor's court costs approval. Reported favorably.
HB 142 - Judicial Council membership. Reported favorably.

LOCAL BILLS

SB 56 - (Edgecombe) Recorder court divorce jurisdiction, as amended in Senate 1/30. Reported favorably.
SB 67 - (Iredell) Statesville primary election. Reported favorably; placed on calendar; passed second and third readings.
SB 68 - (Iredell) Increasing Statesville wards. Reported favorably; placed on calendar; passed second and third readings.

HB 35 - (Johnston) Four Oaks charter revision. Passed third reading.
HB 65 - (Davidson) Lexington gas distribution control. Passed second reading.
HB 122 - (Pender) Veterans service officer levy increase. Reported favorably; re-referred to Finance.
HB 136 - (Vance) Grand jury selection. Reported favorably.
HB 147 - (Columbus) Grand jury selection. Reported favorably.
HB 154 - (Northampton) Education board appointment. Passed three readings.
HB 162 - (Clay) JP appointment. Passed three readings.

BILLS RATIFIED

HB 36 - Creating paroles board, as amended in House 1/23.
HB 49 - (Hoke) Public drunkenness.
HB 101 - (Wake) Recorder court salaries.

Next session of House: 12 noon, Wednesday, February 4, 1953.

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INSTITUTE OF GOVERNMENT
LEGISLATIVE SERVICE
GENERAL ASSEMBLY OF NORTH CAROLINA
DAILY BULLETIN

P. O. Box 1658 111 West Morgan St., Raleigh, N. C. Telephone 3-5515

BULLETIN NO. 21
Wednesday, February 4, 1953

Session: Senate -- 12 noon

PUBLIC BILLS INTRODUCED -- SENATE

SB 86 - Introduced by Hundley and others
"To amend the Uniform Narcotic Drug Act." [Amends Sec. (o) of G.S. 90-87 to specify that narcotic drugs as there defined include: (1) substances neither chemically nor physically distinguishable from them; (2) drugs to which federal narcotic laws apply; and (3) drugs found to have addiction-forming or sustaining liability similar to morphine or cocaine by State Board of Health or "competent state officer" after notice and opportunity for hearing. Rewrites G.S. 90-87 to limit cases in which Act does not apply to: (1) bona fide administering, dispensing or selling of retail medicinal preparations containing in addition to other medicinal compounds not more than one grain of codeine or its salts or 1/6 grain of dihydrocodeine or its salts per ounce; and (2) prescribing, administering, dispensing or selling codeine or its salts in compliance with other provisions of Act. Amends G.S. 90-110 by providing that SBI enforce Act and have original but not exclusive jurisdiction with "all other law enforcement officers of the State" for that purpose. Amends G.S. 90-111, relating to penalties for violation of Act, by providing that any person engaged in, or intending to engage in or aiding, counseling, commanding, inducing, or procuring the peddling, selling, bartering or exchange of narcotic drugs is guilty of a felony punishable: (1) for first offense, by fine up to $1,000 and imprisonment of one to three years; (2) for second offense, by fine up to $3,000 and imprisonment of 3 to 5 years; and (3) for third or subsequent offense, by fine up to $5,000 and imprisonment of 5 to 10 years. Conviction in any state or country of crime punishable under this Act is to be counted in computing number of such offenses. Rebuttable presumption of intent to commit felony punishable under Act is established by proof that person knowingly possessed preparations containing defined percentages of named narcotics. Other violations of Act constitute misdemeanors punishable by fine up to $500 or imprisonment up to one year or both. Adds G.S. 90-111.1 making it misdemeanor for a person to grow marijuana or knowingly allow it to grow on his land without being licensed to do so or without destroying same. Adds G.S. 90-111.2 making it unlawful: (1) to use any vehicle, vessel or aircraft in, or to facilitate, the transportation, concealment, possession, receipt, purchase, sale, barter, exchange, or giving away of narcotic drugs; and (2) to conceal or possess any narcotic drug upon the person of anyone in or upon any vehicle, vessel or aircraft. Provides for seizure and forfeiture of vehicles, vessels and aircraft, other than common carriers in the transaction of business as common carriers, so used. Adds G.S. 90-111.3 making it duty of attending or consulting physicians to report to State Dept. of Health persons under treatment who appear to be habitual users of narcotic drugs. Such reports are not to be open for public inspection.] To Public Health.

SB 88 - Introduced by Bason and others
"To authorize the increase of the number of highway divisions and to change the boundaries of existing divisions." [Amends G.S. 136-1, relating to organization of SH&PWC, by inserting a new paragraph to empower Governor to appoint 5-member committee which is authorized at any time, with Governor's approval, to increase number of highway divisions from 10 up to 15 and/or change boundary lines of existing divisions. Any such increase or change must be made so that divisions will be of substantially equal size on joint basis of area, population, and mileage, and Governor must appoint a resident commissioner for each division established. SH&PWC is to consist of chairman and as many commissioners as there are divisions; in event committee does not complete work prior to May 1, 1953, present chairman and commissioners shall continue in office until successors are appointed. Chairman and commissioners appointed by Governor on or after May 1, 1953, and their successors, are to hold office for 4-year terms.] To Public Roads.

SB 89 - Introduced by Bailey
"To authorize the conveyance or lease of certain state owned property in Raleigh to the Bloodworth Street, Young Men's Christian Association, Inc." [Authorizes Governor with approval of Council of State to make conveyance or lease of state property described in bill as indicated in title.] To Counties, Cities and Towns.

LOCAL BILLS INTRODUCED -- SENATE

SB 87 - (Cabarrus) Introduced by Barnhardt
"To authorize discretionary increases in the compensation of certain officials of the city of Concord." [Effective July 1, 1953, rewrites Sec. 1 of Ch. 377, 1949 Session Laws, to increase maximum annual salaries which may be fixed for certain Concord officials by board of aldermen as follows: mayor, from $1,000 to $1,400; aldermen, from $200 to $600 each; and chairman of board of light and water commissioners, from $300 to $600. Retains provision fixing maximum annual salary of $200 for each member of board of light and water commissioners, but deletes provision fixing maximum annual salary for chairman of street commissioners.] To Counties, Cities and Towns.

SENATE CALENDAR ACTION

PUBLIC BILLS

SB 24 - Probation violation appeals. Reported favorably as amended.
SB 45 - Hospitalization of assistance recipients. Reported favorably.
SB 52 - Confederate Woman's Home admissions. Passed second and third readings.
SB 57 - Committing mentally disordered. Passed second and third readings.
SB 59 - Population estimate as official census. Passed second and third readings.
SB 83 - Parking meter receipts for off-street parking. Reported favorably.
SB 84 - Assistance checks of dead recipients. Reported favorably.

HB 37 - Retroactive social security coverage. Reported favorably.
HB 100 - Plat probate registration, as amended in House 1/28. Reported favorably.
HB 106 - Partition commissioners pay. Reported favorably.
HB 112 - Burglary verdicts, as amended in House 2/2. Received from House; sent to Judiciary 2.

LOCAL BILLS

SB 43 - (Pitt) County commissioners terms of office. Passed second and third readings.
SB 50 - (Wake) Raleigh special assessment procedure. Passed second reading.
SB 54 - (Guilford) Financing High Point library. Passed second reading.
SB 55 - (Union) Monroe primary election. Passed second and third readings.
SB 62 - (Davidson) Thomasville councilman pay. Passed second and third readings.

SB 79 - (Franklin) Changing school district bond act. Passed second reading.

HB 13 - (Mitchell) Bakersville tax limits (House committee substitute 1/28). Passed second reading.

HB 14 - (Haywood) Clyde election date. Passed second and third readings.

HB 35 - (Johnston) Four Oaks charter revision. Received from House; sent to Counties, Cities and Towns.

HB 50 - (Hoke) Vice recorder. Passed second the third readings.

HB 59 - (Caswell) Jurors fees. Passed second and third readings.

HB 60 - (Caswell) Increasing recorder jurors summoned. Passed second and third readings.

HB 61 - (Caswell) Recorder court salary. Passed second and third readings.

HB 66 - (Davidson) Lexington tax prepayment discounts. Passed second and third readings.

HB 68 - (Robeson) Validating tax sales and agreements. Passed second and third readings.

HB 71 - (Mecklenburg) Postponing Charlotte orphanage street assessments. Passed second and third readings.

HB 72 - (Gaston) Increasing Gastonia court salaries. Passed second reading.

HB 73 - (Gaston) Gastonia ward election. Passed second and third readings.

HB 75 - (Nash) Investing county funds. Passed second and third readings.

HB 77 - (Nash) Election officials pay. Passed second and third readings.

HB 78 - (Nash) Insolvent list tax transfer. Passed second and third readings.

HB 83 - (Duplin) Abolishing county treasurer office. Passed second and third readings.

HB 85 - (Pitt) Extending Ayden limits. Passed second reading.

HB 93 - (Yancey) Transferring cases to recorder court. Passed second and third readings.

HB 114 - (Brunswick) Additional deputy sheriff. Amendment adopted to make clear that sheriff may employ three field deputies at monthly salary of $225 and allowances; on or after July 1, 1953, permits county commissioners to authorize sheriff to employ an additional field deputy at salary and allowances provided for other field deputies; passed second and third readings.

HB 118 - (Lenoir) Rural fire protection. Re-referred to Counties, Cities and Towns.

HB 123 - (Martin) Volunteer firemen's jury exemption. Passed second and third readings

HB 126 - (Rowan) Jurors fees. Passed second and third readings.

HB 127 - (Onslow) Validating JP acts. Reported favorably.

HB 154 - (Northampton) Education board appointment. Received from House; placed on calendar; passed second and third readings.

HB 162 - (Clay) JP appointment. Received from House; placed on calendar; passed second reading.

Next session of Senate: 12 noon, Thursday, February 5, 1953.

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BULLETIN NO. 21
Wednesday, February 4, 1953

Session: House -- 12 noon

PUBLIC BILLS INTRODUCED -- HOUSE

HB 164 - Introduced by Floyd of Robeson and others
"To amend G.S. 166-13 extending the provisions of Chapter 166 of the General Statutes relating to civil defense for a period of two years." [Extends entire N.C. civil defense program to March 1, 1955.] To Federal and Interstate Cooperation.

HB 165 - Introduced by Hewlett and others
"To establish a North Carolina Employ the Physically Handicapped Commission and to authorize an appropriation therefor out of the contingency and emergency fund." [Directs Governor to designate first week in October each year as Employ the Physically Handicapped Week. Creates a ten member commission to (1) promote the employment of physically handicapped persons through stimulation of state-wide interest; (2) work with President's Committee on National Employ the Physically Handicapped Week; and (3) obtain and maintain cooperation from all public and private groups working in the field. Commission is composed of three ex-officio members (Director of Rehabilitation, chairman; Director of Employment Service Commission; and Commissioner of Labor) and seven members appointed by the Governor for a term specified by him. Directs commission to appoint and work with local commissions to promote employer acceptance of handicapped workmen and to inform such workmen of job openings available. Authorizes Governor and Council of State to allocate from contingency and emergency fund a sum not to exceed $1,000 for commission expenses. Authorizes commission to receive property by gift, and to solicit funds.] To Public Welfare.

HB 167 - Introduced by Swindell and Collier
"To amend G.S. 113-216.2 and to provide for weight limits on oyster dredges." [Adds G.S. 113-210.1 and amends cited section to make taking of oysters from any public grounds or natural oyster beds of the state by use of oyster dredges weighing over 100 pounds misdemeanor punishable by fine of not more then $50 or imprisonment of not more than 30 days.] To Commercial Fisheries.

HB 168 - Introduced by Taylor of Buncombe
"To amend G.S. 9-28 so as to require grand juries to inspect and report on the condition and operation of the public schools in this state."[Amends G.S. 9-28 (which now provides for grand jury visitation of county homes for aged and infirm, workhouses and jails, and for reports to courts concerning condition and operation of such institutions) by adding public schools to institutions to be visited and by limiting required visits and reports to one every six months.] To Education.

HB 170 - Introduced by Branch and others
"To authorize the increase of the number of highway divisions and to change the boundaries of existing divisions." [Identical with SB 88, digested in the Senate section of today's bulletin.] To Roads and Highway Safety.

HB 174 - Introduced by Worthington
"To amend G.S. 147-33.7, relating to the emergency war powers of the Governor." [Amends G.S. 147-33.7 to make emergency war powers of Governor effective until Mar. 1, 1955, rather than six months after state of war ends. Contracts, orders, rules, regulations and actions taken pursuant to war powers article before 1953 (instead of 1945) General Assembly convened continue in effect according to their terms to Mar. 1, 1955, unless sooner repealed or modified by Governor with Council of State approval or by General Assembly.] To Judiciary 2.

HB 175 - Introduced by Worthington
"To provide for special judges in North Carolina." [Continues the Governor's power to appoint special judges, with terms ending June 30, 1955, making no change in the number, qualifications, jurisdiction, or compensation of appointees. Provides for Governor to assign special judges to hold terms of court instead of assignment by Chief Justice of Supreme Court. (Present law is contained in G.S. 7-54 through G.S. 7-60.)] To Judiciary 2.

HB 177 - Introduced by Whitmire and others
"To relieve the Cherokee Historical Association of the obligation of repaying to the State of North Carolina certain sums of money advanced said association by the state for that all of said money was used in the public interest." [Relieves association from repayment of $25,000 appropriated by 1951 legislature as grant in aid for construction of Indian village replica, citing as reason the public service rendered entire state by association's operation of an information center and "welcome house" at entrance to Great Smoky Mountains National Park at cost (to date) of $21,456.73.] To Finance.

LOCAL BILLS INTRODUCED -- HOUSE

HB 166 - (New Hanover) Introduced by Hewlett
"Authorizing the board of county commissioners of New Hanover County to fix the fees to be charged by the register of deeds for recording instruments and for other services rendered by said office and also to fix the fees to be charged by the clerk of the superior court and the sheriffs and constables of said county in certain instances." [Permits county commissioners to fix fees to be charged by register of deeds for recording instruments and for other official acts. Until changed by commissioners, fees presently fixed by law are to be charged. Fixes 25¢ as CSC fee for probating chattel mortgage and conditional sales contracts. Amends G.S. 162-7, setting forth local modifications to sheriff fees, to fix fee for New Hanover sheriff and constables for serving summons in civil actions and special proceedings and all civil notices and citations at $1 for each defendant served.] To Salaries and Fees.

HB 169 - (Union) Introduced by Wilson
"To amend Chapter 641 of the Session Laws of 1949, relating to the charter of the city of Monroe, to extend the corporate limits of said city and to extend the jurisdiction of the peace officers of said city." [Extends Monroe corporate limits to include area set forth by metes and bounds in bill. Provides that no ad valorem taxes shall be levied for 1953 tax year against property incorporated within city limits and no 1953 poll tax levied against residents of area defined. Such residents, if qualified, are entitled to register and vote in 1953 municipal primaries and elections in ward or voting precinct to which annexed area is adjacent until ward or precinct is changed by ordinance. Extends jurisdiction of all Monroe peace officers one mile in all directions beyond corporate limits defined in bill.] To Local Government.

HB 171 - (Catawba) Introduced by Leinbach
"To amend Section 67-13 of the General Statutes of North Carolina relating to compensation for damages done by dogs in Catawba County." [G. S. 67-13 provides that proceeds from dog taxes are to go to school fund, but such taxes must be used to pay damages for injury to person or destruction of property caused by any dog, subject to repayment to county by owner of such dog if owner is known or can be ascertained. Bill adds Catawba to list of counties wherein proceeds of tax are applied to school funds only.] To Agriculture.

HB 172 - (Catawba) Introduced by Leinbach
"To repeal Chapter 58, Public-Local Laws of 1941, and to amend Chapter 137, Public-Local Laws of 1937, relative to the register of deeds and deputies register of deeds of Catawba County." [Repeals Sec. 1, Ch. 58, 1941 Public-Local Laws, which

amends Sec. 1(b), Ch. 137, 1937 Public-Local Laws. Authorizes county commissioners to (1) fix salary of register at not less than $3500 nor more than $5000 per year (was $2500 to $3500); (2) fix salary of any deputy register of deeds or stenographer appointed at not less than $50 nor more than $300 per month(was $50 to $125); and (3) pay such sums as they deem proper for additional clerical assistance in register's office. Authorizes register to appoint one or more deputies and one or more stenographers.] To Counties, Cities and Towns.

HB 173 - (Yadkin) Introduced by Williams

"To amend G.S. 113-111, so as to permit the hunting, taking and killing of foxes at any time in Yadkin County and to make it unlawful for persons to bring foxes into said county and set them at large." [Amends cited section to permit taking and killing of foxes in Yadkin County. Provides that bringing foxes into Yadkin County and setting them free therein constitutes a misdemeanor, punishable by fine or imprisonment in discretion of court.] To Wildlife Resources.

HB 176 - (Caswell) Introduced by Warren by request

"To amend G.S. 20-125 so as to permit cars owned by the members of the Yanceyville fire department to be equipped with sirens and to operate such equipment when vehicles are being used in the performance of their fire fighting duties." [Provides that Yanceyville volunteer firemen may equip their personal cars with sirens of type approved by motor vehicles commissioner and use sirens on duty calls in or out of town. Use by volunteer firemen at other time is made misdemeanor, punishable by fine of not over $50 or not over six months imprisonment. (Unauthorized use by person other than volunteer fireman would be violation of G.S. 20-125, punishable by fine of not less than $10 nor more than $50, or not more than 30 days imprisonment.)] To Roads and Highway Safety.

HB 178 - (Robeson) Introduced by Regan and Floyd

"To authorize the Robeson County Board of Commissioners to deed or lease property to the State of North Carolina upon which may be constructed a highway patrol headquarters." [Authorizes commissioners to lease, deed or rent for a nominal sum as much real estate (now owned or acquired hereafter by county) as may be necessary for erecting building for state highway patrol headquarters.] To Local Government.

HOUSE CALENDAR ACTION

PUBLIC BILLS

SB 17 - Exempting armed forces from juries. Passed second and third readings.
SB 38 - Administering oaths of office. Passed second and third readings.
SB 40 - Confirming personal property partitions. Passed second and third readings.
SB 44 - Delegating county welfare board powers. Received from Senate; sent to Public Welfare.
SB 58 - Probationer bonds after arrest. Passed second reading.

HB 32 - Morehead pilot licensing. Reported favorably.
HB 58 - Oxford orphanage charter amendment. Passed second and third readings.
HB 87 - Welfare certification services. Passed second reading.
HB 96 - Renaming prison records section. Passed second and third readings.
HB 116 - Insurance payments to CSC. Passed second reading.
HB 135 - Automatic objection to court questions. Passed second and third readings.
HB 138 - Eliminating solicitor's court costs approval. Passed second and third readings.
HB 142 - Judicial Council membership. Passed second and third readings.

LOCAL BILLS

SB 56 - (Edgecombe) Recorder court divorce jurisdiction, as amended in Senate 1/30. Passed second and third readings.
HB 65 - (Davidson) Lexington gas distribution control. Passed third reading.
HB 70 - (Martin) Oak City charter amendment. Reported favorably.
HB 79 - (Columbus) County commissioners election. Reported favorably as to committee substitute; committee substitute adopted to re-write bill in form of local bill rather than as amendment to general law, applicable only to Columbus County. No change is made in substance of bill.
HB 80 -(New Hanover) Superior court assistant solicitor. Reported favorably as amended.
HB 82 - (New Hanover) Electing mayor. Reported favorably.
HB 111 - (Montgomery) Star corporate limits. Reported favorably as to committee substitute; committee substitute adopted to clarify northern boundary line of town.
HB 124 - (Columbus) Tabor City mayor court costs. Reported favorably.
HB 125 - (Columbus) Tabor City commissioner election. Reported favorably.
HB 136 - (Vance) Grand jury selection. Passed second and third readings.
HB 137 - (Catawba) Validating Longview street closing. Reported favorably.
HB 147 - (Columbus) Grand jury selection. Passed second and third readings.
HB 157 - (Forsyth) School treasurer selection. Reported favorably.
HB 158 - (Forsyth) Winston-Salem elections. Reported favorably.

BILLS RATIFIED

SB 67 - (Iredell) Statesville primary election.
SB 68 - (Iredell) Increasing Statesville wards.

Next session of House: 12 noon, Thursday, February 5, 1953.

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INSTITUTE OF GOVERNMENT

LEGISLATIVE SERVICE

GENERAL ASSEMBLY OF NORTH CAROLINA

DAILY BULLETIN

P. O. Box 1658 111 West Morgan St., Raleigh, N. C. Telephone 3-5515

BULLETIN NO. 22
Thursday, February 5, 1953

Session: Senate 12 noon

PUBLIC BILLS INTRODUCED -- SENATE

SB 90 - Introduced by Proctor

"To amend Section 84-18 of the General Statutes relating to the filling of vacancies of councilors of the North Carolina State Bar." [Amends G.S. 84-18, relating to election of councilors of N. C. state bar, to empower president of each district bar to fill vacancy created by death, resignation or otherwise in office of councilor representing such district, by appointment of member of his district bar to fill unexpired term. G.S. 84-18 now provides for filling such vacancies by elections under rules, regulations, and by-laws adopted by the district bar.] To Judiciary 1.

SB 91 - Introduced by Whitfield

"To appropriate the sum of ten thousand dollars to the department of Agriculture to be used for research on methods of curing or preserving hay in North Carolina." [Citing loss to dairy and cattle industries due to hay-rot, appropriates $10,000 out of general fund to Department of Agriculture for use at Lower Coastal Plains Test Farm for purposes indicated in title.] To Agriculture.

LOCAL BILLS INTRODUCED -- SENATE

SB 92 - (Robeson) Introduced by Moore

"To amend G.S. 14-401.5 relating to the practice of phrenology, palmistry, fortune telling, or clairvoyance." [G.S. 14-401.5 makes it a misdemeanor to engage in practices named in title, except in connection with school or church socials held in school or church buildings, and affixes as maximum penalty $500 fine, 1 year imprisonment, or both. Effective July 1, 1953, this bill makes cited section applicable to Robeson County.] To Counties, Cities and Towns.

SB 93 - (Catawba) Introduced by Shuford

"Authorizing the city council of the City of Hickory to accept secured promissory notes in payment or partial payment for real estate sold at public auction by the City of Hickory." [As title indicates; promissory notes must be secured by purchase money mortgages or deeds of trust upon real estate sold or by such other security as city council deems adequate.] To Counties, Cities and Towns.

SENATE CALENDAR ACTION

PUBLIC BILLS

SB 15 - Drunken driving penalties. Reported favorably as to committee substitute.

SB 24 - Probation violation appeals. Amended to permit defendant under suspended sentence or probation to appeal from invocation of suspended sentence by inferior court to resident superior court judge or judge holding courts of the district, in term or chambers, at any place in district, instead of to "the Superior Court;" finding of judge on such appeal is to be conclusive; passed third reading.

SB 28 - Mortgage registration. Reported favorably.
SB 37 - Computing kinship, Reported favorably.
SB 45 - Hospitalization of assistance recipients. Passed second and third readings.
SB 64 - Appointing conservation and development board. Reported favorably.
SB 81 - Highway 87 jurisdiction in Fort Bragg. Reported favorably.
SB 82 - Regulating intrastate railroad fares. Reported favorably.
SB 83 - Parking meter receipts for off-street parking. Passed second and third readings.
SB 84 - Assistance checks of dead recipients. Passed second and third readings.
SB 89 - Conveying state property to YMCA. Reported favorably.

HB 37 - Retroactive social security coverage. Postponed to 2/6.
HB 51 - Workmen's compensation dependency payments. Reported favorably.
HB 58 - Oxford orphanage charter amendment. Received from House; sent to Judiciary 2.
HB 74 - Adopting new G.S. Vol. III. Reported favorably.
HB 96 - Renaming prison records section. Received from House; sent to Judiciary 2.
HB 100- Plat probate and registration, as amended in House 1/28. Passed second and third readings.
HB 106- Partition commissioners pay. Passed second and third readings.
HB 135- Automatic objections to court questions. Received from House; sent to Judiciary 2.
HB 138- Eliminating solicitor's court costs approval. Received from House; sent to Judiciary 2.
HB 142- Judicial Council membership. Received from House; sent to Judiciary 1.

LOCAL BILLS

SB 50 - (Wake) Raleigh special assessment procedure. Passed third reading.
SB 54 - (Guilford) Financing High Point library. Passed third reading.
SB 63 - (Catawba) Hickory court solicitor and clerk. Reported favorably as amended.
SB 79 - (Franklin) Changing school district bond act. Passed third reading.
SB 80 - (Cumberland) Transferring ABC funds for tax revaluation. Reported favorably.
SB 85 - (Edgecombe) Bond when jury trial transferred. Reported favorably.
SB 87 - (Cabarrus) Concord officials salaries. Reported favorably.

HB 13 - (Mitchell) Bakersville tax limits (House committee substitute 1/28). Passed third reading.
HB 35 - (Johnston) Four Oaks charter revision. Reported favorably as amended.
HB 65 - (Davidson) Lexington gas distribution control. Received from House; sent to Counties, Cities and Towns.
HB 72 - (Gaston) Increasing Gastonia court salaries. Passed third reading.
HB 85 - (Pitt) Extending Ayden limits. Passed third reading.
HB 127- (Onslow) Validating JP acts. Passed second and third readings.
HB 136- (Vance) Grand jury selection. Received from House; sent to Courts and Judicial Districts.
HB 147- (Columbus) Grand jury selection. Received from House; sent to Courts and Judicial Districts.
HB 162 - (Clay) JP appointment. Passed third reading.

Next session of Senate: 10:00 a.m., Friday, February 6, 1953.

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BULLETIN NO. 22
Thursday, February 5, 1953

Session: House -- 12 noon

PUBLIC BILLS INTRODUCED -- HOUSE

HB 180 - Introduced by Turner

"To amend Chapter 87, Article 2 of the General Statutes, relating to plumbing and heating contractors." [Amends G.S. 87-18 to permit Board of Examiners of Plumbing and Heating Contractors to employ necessary personnel. Rewrites G.S. 87-21 to make following changes: (1) redefines "plumbing" without substantial change; (2) defines heating groups "one" and "two" in substantially same terms as existing statute requires board to do; adds in definition of "group two" that means of cooling buildings must require total of more than 15 h.p. motor or total of more than 15 tons of mechanical refrigeration; (3) redefines "contractor" and specifically exempts persons making minor repairs or replacements to already-installed plumbing or heating systems from regulation by board; (4) makes clear that board may issue licenses to applicants passing examination for either plumbing or one of heating groups or for any combination of the three; (5) changes examination dates from Feb. and Aug. to April and Oct., and provides that person failing examination is not eligible for special re-exam; (6) omits provision permitting licensing without exam of persons in group one or plumbing business who held licenses within year before or after board was appointed in 1931; (7) requires posting of license in licensee's place of business and insertion of license number on all proposals, contracts, or applications for municipal permits. Amends G.S. 87-27 to require that board payments be authorized by warrant of chairman (instead of president) and secretary and treasurer.] To Judiciary 1.

HB 181 - Introduced by Satterfield

"To amend Chapter 139 of the General Statutes relating to the powers and duties of the State Soil Conservation Committee." [Adds to powers of committee conferred by G.S. 139-4 power to change boundary lines of soil conservation districts in best interests of land occupiers affected, upon filing of petition signed by all district supervisors of any district requesting such change.] To Agriculture.

HB 184 - Introduced by Umstead and Kilpatrick

"To amend Chapters 122and 35 of the General Statutes relating to the commitment and care of mentally disordered persons." [Amends G.S. 122-27 (which now requires notification of committing physician, sheriff, and CSC by superintendent of state mental hospital when any inmate has escaped or violated terms of probation) by eliminating requirement for notification of committing physician. Deletes from G.S. 122-31 provision that superintendent of state mental hospital may not receive perquisites other than hospital rooms for family or food produced on premises. Removes reference to justice of peace from G.S. 122-40. Amends G.S. 122-62 to require that person voluntarily committing self to hospital must agree that 10 days notice of desire for discharge (as now required) will be in writing. Amends G.S. 35-5 to eliminate requirement of certification of certificate of sanity (restoring rights of person previously declared of unsound mind and memory) to CSC in county in which person affected resided immediately prior to being declared insane. Amends G.S. 122-67 to provide for notification of legal guardian or nearest of kin if patient is found to be without mental disorder or has recovered sufficiently to merit release; if person notified fails to remove person within reasonable time, sheriff of patient's county must, on notification, reconvey patient to home county. If family cannot or will not provide place in home, sheriff must place person under welfare superintendent. Adds G.S. 122-46.2 to provide that procedure for commitment of epileptics with mental disorders in same manner as provided for other mentally disordered persons under G.S. 122-42 and succeeding sections. Repeals: (1) G.S. 122-52, requiring superintendent of proper state mental hospital, on notification, to send attendant to convey mentally disordered person to hospital; (2) G.S. 122-53, requiring submission by superintendent of state hospital of bill of costs for transportation of mentally disordered person to county commissioners of county in which such person had a settlement, and payment of such bill by commissioners; and (3) paragraph 1 of G.S. 122-54, directing the sheriff of county in which mentally unsound person is committed to convey such person, at county expense, to proper hospital if superintendent fails to send an attendant within ten days after notice of commitment is sent. Repeals G.S. 122-60, setting up procedure for determination, whenever a state hospital superintendent is in doubt, of the propriety of admission of any insane person, and for delivery of any person admitted pursuant to such procedure to a friend who binds himself with good surety to restrain and maintain such person.] To Mental Institutions.

HB 185 - Introduced by Womble of Forsyth

"To amend G.S. 136-19, relating to acquirement of land by the State Highway and Public Works Commission." [Paragraph two of G.S. 136-19 now provides for posting of notice of completion of highway construction projects at each end of such projects for at least 30 days following such completion, and requires bringing of damage suits connected with such construction project within six months following date of completion as stated in notice, or within 12 months from date of completion if no notice is posted. HB 185 changes the date from which the six month period begins to run to the date on which the notice of completion was posted. When no notice is posted, 12 months period does not begin to run before project is opened to public.] To Judiciary 1.

HB 189 - Introduced by Stone

"To provide that photographs of certain state facilities be furnished to the General Assembly to assist in appropriating the funds of the State." [Directs Assistant Director of the Budget to (1) obtain services of a state employed regular photographer or, if none is available, to employ a professional photographer to accompany the Advisory Budget Commission on its biennial inspection tour of state facilities and to take such photographs as the Commission deems advisable in order to furnish to Budget Commission and General Assembly members a clear conception of needs of various institutions requesting permanent improvements; (2) furnish sufficient copies of such photographs to the General Assembly to give each member ready access thereto; and (3) pay any expenses incurred in providing such services from Budget Bureau funds, or, if necessary, from the contingency and emergency fund.] To Appropriations.

HB 193 - Introduced by O'Herron

"To amend Article 4 of Chapter 90 of the General Statutes, relating to the amount of fees which may be collected by the State Board of Pharmacy." [Amends G.S. 90-60 to raise fee for renewal of pharmacist or assistant pharmacist license from $5 to $10; and fee for renewal of drugstore registration from $10 to $15. Amends G.S. 90-75 to strike provision setting fee for registration, or renewal or registration, of a drug store at $1.] To Health.

LOCAL BILLS INTRODUCED -- HOUSE

HB 179 - (Gaston) Introduced by Dellinger

"To amend the charter of the town of Bessemer City, North Carolina." [Amends Ch. 30, 1913 Private Laws (as amended) to authorize Bessemer City board of town commissioners to appoint clerk of recorder's court with any of following powers: to issue warrants for crimes committed in city, and issue capiases, subpoenas and other processes returnable to recorder's court; to take affidavits and bonds in pending cases; to keep record of court proceedings; to collect all fines, forfeitures and costs imposed by court and pay over to proper parties; and to make itemized monthly report to board. Clerk must file with town $1,000 bond to assure faithful performance of duties and account for funds. Clerk's duties are to be fixed by board, and any of above powers not required of clerk are to be exercised by recorder as provided under existing law; does not deprive recorder of any authority vested by existing law. Board is to fix salary of clerk who may be removed by board without cause. Permits board to combine clerk's office with that of desk sergeant, and/or any town police officer "or any other town office" and to appoint one person to perform duties of "both offices or all three of said offices of desk sergeant, police officer and clerk;" except that if offices of clerk and police officer are combined, such officer shall not serve any warrant or process issued by him. Provides that, in any case disposed of by recorder, $2 shall be taxed for clerk as additional part of costs and paid into town general fund. Board is to fix annual salary of recorder and prosecuting attorney but not in excess of $1500 each.] To Local Government.

HB 182 - (Davidson) Introduced by Philpott

"To authorize the county commissioners of Davidson County to turn into the general fund certain delinquent taxes upon collection of the same." [Authorizes commissioners to turn into county general fund: (a) the proceeds of all uncollected taxes collected for years prior to and including 1950; and (b) delinquent taxes collected for years subsequent to and including 1951 after such taxes have been delinquent two years from due date. Does not apply to uncollected taxes collected prior to bill's ratification.] To Local Government.

HB 183 - (Davidson) Introduced by Philpott

"To amend Chapter 792 of the Session Laws of 1949, relating to the compensation of the register of deeds and clerk of the superior court of Davidson County." [Increases annual salary of register of deeds from $3,350 to $3,900 and of CSC from $3,600 to $4,200. Increases are retroactive to Jan. 1, 1953.] To Salaries and Fees.

HB 186 - (Transylvania) Introduced by Fisher

"Requiring the board of education of Transylvania County to set apart for use as community centers certain property owned by said board and which has been abandoned for school purposes." [Citing need to retain as community centers school buildings and property, which as result of school consolidation are no longer needed for school purposes, bill provides: (a) that until April 1, 1957, notwithstanding G.S. 115-86 which authorizes sale of unneeded school property, county board of education is to have no authority to sell and convey title to property in county owned by it but not needed for school purposes when presented with petition to retain that property as community center, signed by at least 25 taxpayers of community in which property is located; (b) that board of education is to keep buildings on such property insured against loss by fire and other hazards as at present; and (c) that groups using such buildings keep them in reasonable repair and pay to board of education pro rata part of premium on each insurance policy.] To Education.

HB 187 - (Rutherford) Introduced by Mills

"To authorize the board of education of Rutherford County to convey certain lands to I. P. Hines and wife." [Citing facts that in 1924 I. P. Hines and wife conveyed to board of education certain described land as a gift and that this land has been abandoned for school purposes, bill authorizes board of education to reconvey this land by deed without covenants of warranty to I. P. Hines and wife.] To Education.

HB 188 - (McDowell) Introduced by Perkins

"To exempt certain volunteer firemen in McDowell County from jury duty." [Beginning July 1, 1953, empowers CSC of McDowell County to excuse from jury duty any person whose name appears upon list of active municipal volunteer firemen in good standing with own fire department and N.C. Firemen's Association, to be submitted by each municipal fire chief on first day of Jan. and July each year.] To Judiciary 2.

HB 190 - (Avery) Introduced by Harmon

"Relating to penalties and interest on delinquent taxes in Avery County." [Removes Avery County from application of Ch. 10, 1941 Public-Local Laws, abolishing penalties (but not 6% interest charge on delinquent taxes) for non-payment of taxes levied in 1941 and subsequent years, but prohibits refund of "any penalties or interest heretofore collected with respect to the late payment of ad valorem property taxes." Makes penalties and discounts for non-payment, late payment, and prepayment of taxes, set out in G.S. 105-345, applicable to Avery County.] To Counties, Cities and Towns.

HB 191 - (Hyde) Introduced by Swindell
"Relating to the salary of the sheriff of Hyde County." [Amends Sec. 1, Ch. 655, 1951 Session Laws, to raise from 5 1/2% to 7 1/2% the commission on all taxes collected for Hyde County payable to the sheriff in lieu of commissions allowed under G.S. 105-424 (5% on all taxes other than Schedule B privilege and license taxes collected up to $50,000; 2 1/2% on all such taxes collected in excess of $50,000; and 5% on all Schedule B privilege and license taxes).] To Salaries and Fees.

HB 192 - (Tyrrell) Introduced by Combs
"To amend G.S. 113-111 relating to game, to permit fox hunting at any time in Tyrrell County." [As title indicates.] To Wildlife Resources.

HOUSE CALENDAR ACTION

PUBLIC BILLS

SB 16 - Defining step-child for adoption law, as amended in Senate 2/3. Received from Senate; sent to Public Welfare.
SB 52 - Confederate Woman's Home admissions. Received from Senate; sent to Public Welfare.
SB 57 - Committing mentally disordered. Received from Senate; sent to Mental Institutior
SB 58 - Probationer bonds after arrest. Passed third reading.
SB 59 - Population estimate as official census. Received from Senate; sent to Counties, Cities and Towns.

HB 32 - Morehead pilot licensing. Passed second and third readings.
HB 57 - Auditor facsimile signature. Reported favorably.
HB 87 - Welfare certification services. Passed third reading.
HB 105 - Pembroke College admissions. Reported favorably.
HB 110 - Area music supervisors. Reported favorably as amended; amendment adopted deleting duty of area music supervisors to train leaders to promote music in churches; re-referred to Appropriations.
HB 116 - Insurance payments to CSC. Passed third reading.
HB 148 - Defining relatives for military benefits. Reported favorably.

LOCAL BILLS

SB 43 - (Pitt) County commissioners terms of office. Received from Senate; sent to Counties, Cities and Towns.
SB 55 - (Union) Monroe primary election. Received from Senate; sent to Local Government.
SB 62 - (Davidson) Thomasville councilman pay. Received from Senate; sent to Counties, Cities and Towns.

HB 25 - (Pamlico) Revaluation bond issue.. Reported favorably.
HB 31 - (Wayne) Delinquent tax collection fund transfer. Reported favorably.
HB 45 - (New Hanover) Carolina Beach referendum. Reported favorably as amended; amendment adopted to clarify Session Laws chapter reference.
HB 63 - (Rowan) Salisbury meat inspection. Reported favorably.
HB 70 - (Martin) Oak City charter amendment. Passed second the third readings.
HB 76 - (Nash) Aiding charitable organizations. Amendment adopted to delete authorization for annual appropriations with maximum limits as follows: (a) Rocky Mount Community Council, $200; and (b) Nash County Harvest Festival, $500; passed second and third readings.

HB 79 - (Columbus) County commissioners election (House committee substitute 2/4). Passed second and third readings.
HB 80 - (New Hanover) Superior court assistant solicitor. Amendment adopted to provide that first term of office of assistant solicitor is to begin on April 1, instead of February 15, 1953; provides that 50 cents (instead of amount equal to 1/2 of costs paid solicitor as now provided by law) is to be added to costs in each criminal case disposed of in recorder and superior court for salary of assistant solicitor, such additional costs to be collected from and after appointment of assistant solicitor; passed second and third readings.
HB 82 - (New Hanover) Electing mayor. Passed second and third readings.
HB 95 - (Caswell) JP warrants and receipts. Amendment adopted to provide that copies of JP receipts are to be turned over to CSC during the months of, instead of on the last day of, each April, Aug. and Dec.; passed second and third readings.
HB 103 - (Duplin) Amending Calypso charter. Reported favorably.
HB 111 - (Montgomery) Star corporate limits (House committee substitute 2/4); passed second reading.
HB 114 - (Brunswick) Additional deputy sheriffs, as amended in Senate 2/4. Received from Senate for concurrence in Senate amendment; concurred.
HB 122 - (Pender) Veterans service officer levy increase. Reported favorably.
HB 124 - (Columbus) Tabor City mayor court costs. Passed second and third readings.
HB 125 - (Columbus) Tabor City commissioner election. Passed second and third readings.
HB 131 - (Person) Adopting state rabies law. Reported favorably.
HB 137 - (Catawba) Validating Longview street closing. Passed second and third readings.
HB 156 - (Burke) Volunteer firemen poll tax exemption. Reported favorably.
HB 157 - (Forsyth) School treasurer election. Passed second and third readings.
HB 158 - (Forsyth) Winston-Salem elections. Passed second and third readings.
HB 159 - (Caswell) Prohibiting palmistry. Reported favorably.
HB 160 - (Caswell) Prohibiting shows. Reported favorably.
HB 171 - (Catawba) Prohibiting dog damage payments. Reported favorably.

Next session of House: 10:00 a.m., Friday, February 6, 1953.

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INSTITUTE OF GOVERNMENT

LEGISLATIVE SERVICE

GENERAL ASSEMBLY OF NORTH CAROLINA

DAILY BULLETIN

P. O. Box 1658 111 West Morgan St., Raleigh, N. C. Telephone 3-5515

BULLETIN NO. 23
Friday, February 6, 1953

Session: Senate -- 10:00 a.m.

PUBLIC BILLS INTRODUCED -- SENATE

SB 94 - Introduced by Paul and others

"To amend Sections 31-39 and 31-12 of the General Statutes of North Carolina relating to the rights of innocent purchasers from heirs of a decedent." [Effective July 1, 1953, amends proviso to G.S. 31-39 and rewrites second sentence of G.S. 31-12 to provide that a will does not pass real or personal property as against innocent purchasers for value and without notice from testator's heirs, unless offered for probate within 2 years of testator's death or prior to time of approval of administrator's final accounting, whichever time is earlier. (Present law does not provide for second alternative.) Such conveyance to innocent purchaser, if made before time conveyance is conclusive against heirs and devisees, shall become valid at expiration of such time as if made after expiration, unless proceeding to probate testator's will has been initiated in the meantime. Deletes reference in proviso to G.S. 31-39 to wills fraudulently withheld from probate.] To Judiciary 2.

SB 96 - Introduced by Smith

"To amend G.S. 20-118 striking out the piston displacement requirement for certain motor vehicles." [Deletes last sentence of next to last paragraph of G.S. 20-118 which provides that vehicles or combinations of vehicles, with gross weight in excess of 40,000 pounds and with engines having less than a 300 cubic inch piston displacement, are not to be licensed or permitted to use State highways.] To Judiciary 2.

LOCAL BILLS INTRODUCED -- SENATE

SB 95 - (Union) Introduced by Smith

"Relating to rabies in Union County." [Removes county from those exempted from state-wide rabies control law so as to make Union County subject to that law.] To Counties, Cities and Towns.

SENATE CALENDAR ACTION

PUBLIC BILLS

SB 15 - Drunken driving penalties. Committee substitute adopted; committee substitute changes penalty for second offense of driving under influence of liquor or narcotic drugs from imprisonment from 60 days to 6 months to imprisonment in discretion of court, and for third or subsequent offense, from imprisonment from 6 months to 2 years to imprisonment from 60 days to 2 years; postponed to 2/9.

SB 28 - Mortgage registration. Postponed to 2/9.

SB 37 - Computing kinship. Passed second and third readings.

SB 64 - Appointing conservation and development board. Passed second and third readings.
SB 81 - Highway 87 jurisdiction in Fort Bragg. Passed second and third readings.
SB 82 - Regulating intrastate railroad fares. Passed second and third readings.
SB 89 - Conveying state property to YMCA. Passed second and third readings.

HB 20 - Authorizing corporation certificate amendment (House committee substitute 1/27). Reported favorably.
HB 32 - Morehead pilot licensing. Received from House; sent to Conservation and Development.
HB 37 - Retroactive social security coverage. Passed second and third readings.
HB 51 - Workmen's compensation dependency payments. Passed second and third readings.
HB 58 - Oxford Orphanage charter amendment. Reported favorably.
HB 74 - Adopting new G.S. Vol. III. Returned to House on request.
HB 87 - Welfare certification services. Received from House; sent to Public Welfare.
HB 96 - Renaming prison records section. Reported favorably.
HB 107 - Bail pending appeal. Reported favorably.
HB 116 - Insurance payments to CSC. Received from House; sent to Judiciary 2.
HB 135 - Automatic objections to court questions. Reported favorably.
HB 138 - Eliminating solicitor's court costs approval. Reported favorably.

LOCAL BILLS

SB 63 - (Catawba) Hickory court solicitor and clerk. Amended to clarify mayor's authority to appoint substitute city solicitor in event city solicitor is absent from municipal court; passed third reading.
SB 80 - (Cumberland) Transferring ABC funds for tax revaluation. Passed second and third readings.
SB 85 - (Edgecombe) Bond when jury trial transferred. Passed second and third readings.
SB 87 - (Cabarrus) Concord officials salaries. Passed second and third readings.

HB 35 - (Johnston) Four Oaks charter revision. Amended to delete provision which authorized meeting of board of commissioners in executive session upon 3/5 vote of entire board; passed second reading.
HB 70 - (Martin) Oak City charter amendment. Received from House; sent to Counties, Cities and Towns.
HB 79 - (Columbus) County commissioners election (House committee substitute 2/4). Received from House; sent to Counties, Cities and Towns.
HB 82 - (New Hanover) Electing mayor. Received from House; sent to Counties, Cities and Towns.
HB 124 - (Columbus) Tabor City mayor court costs. Received from House; sent to Salaries and Fees.
HB 125 - (Columbus) Tabor City commissioner election. Received from House; sent to Counties, Cities and Towns.
HB 137 - (Catawba) Validating Longview street closing. Received from House; sent to Counties, Cities and Towns.
HB 157 - (Forsyth) School treasurer selection. Received from House; sent to Counties, Cities and Towns.
HB 158 - (Forsyth) Winston-Salem elections. Received from House; sent to Counties, Cities and Towns.

BILLS RATIFIED

SB 17 - Exempting armed forces from juries.
SB 38 - Administering oaths of office.
SB 40 - Confirming personal property partitions.
SB 56 - (Edgecombe) Recorder court divorce jurisdiction, as amended in Senate 1/30.
SB 58 - Probationer bonds after arrest.

HB 13 - (Mitchell) Bakersville tax limits (House committee substitute 1/28).
HB 14 - (Haywood) Clyde election date.
HB 50 - (Hoke) Vice recorder.
HB 59 - (Caswell) Jurors fees.
HB 60 - (Caswell) Increasing recorder jurors summoned.
HB 61 - (Caswell) Recorder court salaries.
HB 66 - (Davidson) Lexington tax prepayment discounts.
HB 68 - (Robeson) Validating tax sales and agreements.
HB 71 - (Mecklenburg) Postponing Charlotte orphanage street assessments.
HB 72 - (Gaston) Increasing Gastonia court salaries.
HB 73 - (Gaston) Gastonia ward election.
HB 75 - (Nash) Investing county funds.
HB 77 - (Nash) Election officials pay.
HB 78 - (Nash) Insolvent list tax transfer.
HB 83 - (Duplin) Abolishing county treasurer office.
HB 85 - (Pitt) Extending Ayden limits.
HB 93 - (Yancey) Transferring cases to recorder court.
HB 100 - Plat probate and registration, as amended in House 1/28.
HB 106 - Partition commissioners pay.
HB 114 - (Brunswick) Additional deputy sheriffs, as amended in Senate 2/4.
HB 123 - (Martin) Volunteer firemen's jury exemption.
HB 126 - (Rowan) Jurors fees.
HB 127 - (Onslow) Validating JP acts.
HB 154 - (Northampton) Education board appointment.
HB 162 - (Clay) JP appointments.

Next session of Senate: For consideration of local bills only, 9:30 a.m., Saturday, February 7, 1953.

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BULLETIN NO. 23
Friday, February 6, 1953

Session: House -- 10:00 a.m.

PUBLIC BILLS INTRODUCED -- HOUSE

HB 194 - Introduced by Goodman of Mecklenburg and others

"To amend the workmen's compensation act by removing the eight thousand dollars ($8,000.00) maximum limit for total disability." [As title indicates. Under present law $8000 limit on payments to totally disabled employees does not apply to permanent disability due to paralysis resulting from injury to spinal cord. This bill, by amending G.S. Secs. 97-29 and 97-41, removes $8000 limit from payments to all totally incapacitated employees.] To Employment Security.

HB 195 - Introduced by Venters

"To amend G.S. 106-452, relating to maximum leaf tobacco warehouse charges." [Reduces commissions authorized on gross sales of leaf tobacco in tobacco warehouses from 2 1/2% to 2%.] To Public Utilities.

HB 196 - Introduced by Swindell by request

"To repeal Article 15, Chapter 113 of the General Statutes of North Carolina relating to license fees and tax laws on commercial fisheries and to rewrite said article in its entirety and to add a new article to Chapter 113 of the General Statutes containing regulations pertaining to commercial fisheries." [Repeals Art. 15 and adds Art. 15A and Art. 15B. Art. 15B is identical with present G.S. 113-166 through 113-174 except that power to revoke and reinstate licenses and to reach compromises with boat owners, now contained in G.S. 113-173 and 174, is vested in Commissioner of Commercial Fisheries instead of Board of Conservation and Development; also permits Commissioner to revoke license for use of "appliance" of any kind in violation of Board rule or state law. Art. 15A rewrites present G.S. 113-158 through 113-165. Adds G.S. 113-174.1 to define following terms: non-foodfish, fin-fish, shellfish, crustacean, and pound. G. S. 113-174.2 rewrites present G.S. 113-158 to require payment of license fee for tonging or dredging "shellfish" instead of "oysters", and to require display of license to scoop, scrape, or dredge oysters on port side of boats but to eliminate detailed provisions for location of such license on sailing vessels. G.S. 113-174.3 rewrites present 113-161 to (1) delete subsection (b) providing for seizure and sale of vessels operating purse seines or shirred nets without obtaining license and making such operation unlawful, and (2) levy following license taxes on persons or firms engaged in processing non-foodfish within state borders: $100 on each fish scrap and oil extracting or separating plant; $25 on each dehydrating plant for each dehydrator. G.S. 113-174.4 rewrites present 113-162. Levies following annual license taxes on specified fishing appliances used in commercial fishing waters under state jurisdiction: (1) anchor, stake, drift, and gill nets--$1 for each 100 yds. or fraction thereof; (2) pound nets and submarine pound or submerged trap nets--$2 for each trap or pound; (3) fish pots or traps for catching catfish or eels--$1 each; (4) seines, dragnets, and mullet nets--$1 per 100 yds. or fraction thereof; (5) fyke nets -- $1 each; (6) fish, crab, and shrimp trawls -- $5 each. Other appliances are taxed at rate of appliance most similar; no tax is imposed for trot lines used for taking hard crabs. G.S. 113-174.5 rewrites present G.S. 113-163 to (1) increase tax on canning, packing, shucking, or shipping fish from $10 to $25 and of shrimp from $5 to $25; (2) eliminate similar taxes for non-residents and bring all dealers and packers under one schedule; (3) add $5 tax on individuals selling oysters or clams in shell other than to licensed dealers. G.S. 113-174.6 adds following purchase taxes on all dealers in and all persons who purchase, catch, or take for canning, packing, shucking, or shipping indicated products: (1) oysters taken either from private or public beds, 4¢ bushel; (2) escallops, 5¢ gallon; (3) clams, 6¢ bushel; (4) soft crabs, 2¢ doz.; (5) hard crabs, 10¢ barrel; (6) shrimp, cooked or green, 15¢ per 100 lb.; (7) fish, 5¢ per 100 lb. G.S. 113-174.7 rewrites present G.S. 113-165 to provide: (1) $1.50 per ton tax on trawl boats documented in customhouse and $5 tax on trawl boats not documented in customhouse, the license to cover trawling for fin fish, shrimp and crabs; (2) levy of annual tax on each dredge boat as provided in Article 16A, the license to cover dredging for oysters, clams and other shellfish permitted to be taken by dredge; (3) $5 tax on each motor boat used in hauling nets and each power boat used in sink net fishing in commercial fishing waters. G.S. 113-174.8 is same as present G.S. 113-159. Effective July 1, 1953.] To Commercial Fisheries and Oyster Industry.

HB 197 - Introduced by Woodard and others

"To amend Section 376 of Chapter 115 of the General Statutes of North Carolina as recompiled in 1952 volume 3A to require school buses to be routed so as to get within one-half mile of all children who live a greater distance than one and one-half miles from the school to which they are assigned." [As title indicates. Present law requires buses to be routed within one mile of such children.] To Education.

HB 199 - Introduced by Collier and others

"To authorize boards of county commissioners to determine the number of county employees." [Adds new subsection to G.S. 153-9 to authorize boards of county commissioners to determine number of deputies and clerks hired to assist all elective and appointive county officials. Any board may make power inapplicable by adopting resolution stating such intent. Repeals all general and local laws in conflict to extent of such conflict.] To Counties, Cities and Towns.

HB 200 - Introduced by Collier and others

"To authorize boards of county commissioners to fix the fees to be charged by the various county officers." [Adds new subsection to G.S. 153-9 to permit boards of county commissioners to fix all fees and commissions which may be charged by clerks of superior court, registers of deeds, sheriffs, jailers, and coroners, for performance of any services required by law. Action to fix fees must be taken by resolution, and until action is taken, fees now provided by law are in effect. Any board of commissioners not desiring such power may make it inapplicable by adopting resolution stating such intent. Repeals G.S. 161-10, 161-10.1, 161-11, 2-26, 2-27, 2-28, 2-31, 2-32, 2-33, 2-34, 2-35, 162-6, 162-7, 153-180, and 152-5, and all general and local laws in conflict to extent of conflict.] To Counties, Cities and Towns.

HB 201 - Introduced by Collier and others

"To authorize boards of county commissioners to fix salaries of county officers and employees." [Adds new subsection to G.S. 153-9 to permit boards of county commissioners to fix all salaries, compensation, and travel allowances paid by county to all elective and appointive county officials and employees, except members of board. Action may be taken by resolution of board, except that proper provision must be made in annual appropriations resolution then governing finances; or such salaries, compensation and travel allowances may be simply provided for in annual appropriations resolution. Does not amend or repeal provisions of G.S. Ch. 126 dealing with Merit System Council. Any board of commissioners not desiring such power may make it inapplicable by adopting resolution stating such intent. Repeals all general and local laws in conflict to extent of conflict.] To Counties, Cities and Towns.

HB 202 - Introduced by Worthington and Rodman

"To provide for the enrollment of House Bill No. 74 entitled an act adopting volumes 3A, 3B, and 3C of the General Statutes of North Carolina, to provide that said bill shall not be printed in the volume of public laws of 1953 required to be printed under G.S. 147-43.2, and to provide for the codification and incorporation of the public laws enacted in the 1953 General Assembly into the General Statutes of North Carolina." [Provides for ratification of HB 74, in printed rather than typewritten form and provides bill is not to be printed in Session Laws. Provides for cumulative supplements to Vols. 3A, B, and C after this and subsequent sessions.] To Judiciary 2.

HB 203 - Introduced by Worthington and Rodman

"Amending and clarifying various sections of the General Statutes." [Corrects typographical errors, errors in proof-reading, and inadvertent word omissions in G.S. Secs. 6-49, 14-12.1, 15-218, 53-156, 95-69.2, 106-65.3, 106-266.1, 108-30, 116-43, 116-109, 122-14, 130-182, 132-3, 143-21, 143-40, 153-9.1, 153-15.4, 156-58, 156-88, 159-5, 159-28, 44-38.1, and 35-3. Amends G.S. 18-106 to clarify hours during which it is unlawful to sell or permit consumption of beer and/or wine in North Carolina. Amends G.S. 60-37, which enumerates powers of railroad corporations including power to construct its railroads across or along streams or lakes but excluding power to do so if such lake is navigated by "steam or sailboats", by substituting for quoted words "motor or sailboats or vessels", and by granting to such corporations power to transport passengers by water. Amends G.S. 63-27, which makes operation of any aircraft in the air or on the ground while in an intoxicated condition a misdemeanor, by including within such offense operation on water. Amends G.S. 63-28, which declares any person causing serious bodily injury to another while operating any aircraft in the air or on the ground guilty of a felony by expanding coverage to include operation on water. Amends G.S. 147-8 and 147-9 to change automobile mileage allowance payable to state officers and employees travelling on official business from six to seven cents per mile to coincide with change ordered in Sec. 6, Ch. 642, 1951 Session Laws. Strikes from G.S. 147-15 provision making Governor's secretary ex-officio secretary of Board of Internal Improvements. Amends G.S. 160-183 to change the population determinant of "municipality" (for purposes of condemnation of dwellings unfit for human habitation) from the 1941 federal census to the "last federal census".] To Judiciary 2.

HB 204 - Introduced by Worthington

"To rewrite G.S. 164-11.1 relating to the supplements to the General Statutes." [Amends G.S. 164-11.1 by adding 1953 General Statute cumulative supplements to list of such supplements declared to be prima facie evidence of N. C. laws contained in those supplements.] To Judiciary 2.

HR 205 - (Joint Resolution) Introduced by Turner and others

"Authorizing the Governor to appoint a commission to study and make recommendations to the Governor as to the necessity and advisability of a reorganization of the state government in the interest of more efficient and economical administration of the same." [Citing need for study of state government organization before any reorganization is effected, empowers Governor to appoint 9-member commission to make study with view of determining whether or not there shall be a reorganization of state government in interest of more efficient and economical administration. In carrying out duties, commission is to have access to records and offices of all units of state government, and chairman may administer oaths and subpoena witnesses. Commission is to report recommendations to Governor by Nov. 15, 1953. Upon appointment, commission must organize by electing from membership a chairman, vice-chairman, and secretary. Members of commission are to be paid $7 per day and expenses. With Governor's approval, authorizes commission to employ necessary assistants and services. All expenses of commission are to be paid from Contingency and Emergency Fund.] To Judiciary 1.

LOCAL BILLS INTRODUCED -- HOUSE

HB 198 - (Rutherford) Introduced by Mills

"To authorize the board of education of Rutherford County and the trustees of the Alexander School Inc., to erect and operate a school gymnasium building as a joint enterprise." [Citing facts that public school pupils use Alexander School buildings, that Alexander School trustees and county board of education jointly own and maintain main Alexander School building and that Alexander School gymnasium recently burned, bill authorizes county board of education and Alexander School trustees: (a) to acquire and own as tenants in common a building lot at or near Union Mills; (b) to erect a gymnasium and enter into agreement for splitting cost of lot and gymnasium in such ratio as they deem expedient and ; (c) to manage and control gymnasium jointly with local public school committee of Alexander School.] To Counties, Cities and Towns.

HOUSE CALENDAR ACTION

PUBLIC BILLS

SB 45 - Hospitalization of assistance recipients. Received from Senate; sent to Public Welfare.
SB 83 - Parking meter receipts for off-street parking. Received from Senate; sent to Counties, Cities and Towns.
SB 84 - Assistance checks of dead recipients. Received from Senate; sent to Public Welfare.

HB 57 - Auditor facsimile signature. Passed second and third readings.
HB 74 - Adopting new G.S. Vol. III. Recalled from Senate.
HB 105 - Pembroke College admissions. Re-referred to Judiciary 2.
HB 148 - Defining relatives for military benefits. Passed second and third readings.

LOCAL BILLS

SB 50 - (Wake) Raleigh special assessment procedure. Received from Senate; sent to Counties, Cities and Towns.
SB 54 - (Guilford) Financing High Point library. Received from Senate; placed on calendar.
SB 79 - (Franklin) Changing school district bond act. Received from Senate; sent to Counties, Cities and Towns.

HB 25 - (Pamlico) Revaluation bond issue. Passed second reading.
HB 31 - (Wayne) Delinquent tax collection fund transfer. Passed second and third readings.
HB 45 - (New Hanover) Carolina Beach referendum, as amended in House 2/5. Passed second reading.
HB 53 - (Rockingham) CSC and register fees. Reported favorably.
HB 63 - (Rowan) Salisbury meat inspection. Passed second and third readings.
HB 103 - (Duplin) Amending Calypso charter. Amended to change reference to law amended by bill from 1931 to 1913 Private Laws. Passed second reading.
HB 111 - (Montgomery) Star corporate limits (House committee substitute 2/4). Passed third reading.
HB 121 - (Johnston) Raising sheriff's office allocation. Reported favorably.
HB 122 - (Pender) Veterans service officer levy increase. Passed second reading.
HB 131 - (Person) Adopting state rabies law. Passed second and third readings.
HB 149 - (Cumberland) Coroner salary. Reported favorably.
HB 150 - (Cumberland) Rural police salaries. Reported favorably.
HB 151 - (Cumberland) Assistant solicitor salary. Reported favorably.
HB 156 - (Burke) Volunteer firemen poll tax exemption. Passed second and third readings.
HB 159 - (Caswell) Prohibiting palmistry. Passed second and third readings.
HB 160 - (Caswell) Prohibiting shows. Passed second and third readings.
HB 166 - (New Hanover) Authorizing commissioners to fix fees. Reported favorably.
HB 171 - (Catawba) Prohibiting dog damage payments. Passed second and third readings.
HB 183 - (Davidson) Register of deeds and CSC salaries. Reported favorably.
HB 191 - (Hyde) Increasing sheriff tax commission. Reported favorably.

Next session of House: For consideration of local bills only, 10:00 a.m., Saturday, February 7, 1953.

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INSTITUTE OF GOVERNMENT

LEGISLATIVE SERVICE

GENERAL ASSEMBLY OF NORTH CAROLINA

BULLETIN OF LOCAL LEGISLATION

P. O. Box 1658 111 West Morgan St., Raleigh, N.C. Telephone 3-5515

WEEKLY BULLETIN

Note: Included in this Bulletin is a digest of all local legislation introduced or acted upon by the General Assembly during the week ending February 7, 1953 affecting your county or any municipality therein.

PAMLICO COUNTY

HB 25 - Introduced by Collier, Jan. 14 (Revaluation bond issue)
Feb. 6, passed second reading in House.

WAKE COUNTY

SB 50 - Introduced by Bailey, Jan. 26 (Raleigh special assessment procedure)
Feb. 5, passed Senate; Feb. 6, received in House, sent to Counties, Cities and Towns.

HB 101 - Introduced by Whitley, Pou and Womble, Jan. 26 (Recorder court salaries)
Feb. 3, ratified.

HB 153 - Introduced by Winkler, Feb. 2
"To authorize the sheriff of Watauga County to enforce the general compulsory school attendance law in said county." [Authorizes sheriff to enforce compulsory school attendance laws contained in G. S. Ch. 115, Art. 42, as a special attendance officer, and to designate one of his deputies to perform such duties. Authorizes sheriff, or such designated deputy, to check and supervise speed of school buses. Directs supervision and checking of loading of children thereon, and reporting of findings on speeding and loading to county board of education. Directs county commissioners to fix salary payable to sheriff or his deputy for services rendered under this act, in such manner and at such times as the commissioners provide.] To Education.

HB 31 - Introduced by Kemp, Jan. 14 (Delinquent tax collection fund transfer)
Feb. 6, passed House; Feb. 7, received in Senate, sent to Counties, Cities and Towns.

HB 173 - Introduced by Williams, Feb. 4
"To amend G. S. 113-111, so as to permit the hunting, taking and killing of foxes at any time in Yadkin County and to make it unlawful for persons to bring foxes into said county and set them at large." [Amends cited section to permit taking and killing of foxes in Yadkin County. Provides that bringing foxes into Yadkin County and setting them free therein constitutes a misdemeanor, punishable by fine or imprisonment in discretion of court.] To Wildlife Resources.

CUMBERLAND COUNTY

SB 80 - Introduced by Sanford, Feb. 3
"To authorize the board of county commissioners of Cumberland County to transfer sufficient funds from the Alcoholic Beverage Control fund to complete the revaluation of property in the county for tax purposes." [Authorizes transfer of no more than $20,000 for purpose indicated in title.]
Feb. 6, passed Senate; Feb. 7, received in House; sent to Counties, Cities and Towns.

HB 149 - Introduced by O'Hanlon and Fisher, Feb. 2
"To amend Chapter 73 of the Public Laws of 1941, relating to the salary of the coroner of Cumberland County." [Amends cited chapter to remove $1800 maximum on annual salary payable to coroner.]
Feb. 7, passed House.

HB 150 - Introduced by O'Hanlon and Fisher, Feb. 2
"To amend Chapter 147 of the Session Laws of 1951, relating to the salaries of rural policemen in Cumberland County." [Amends cited chapter to remove $250 maximum on monthly salary payable to rural policemen.]
Feb. 7, passed House.

HB 151 - Introduced by O'Hanlon and Fisher, Feb. 2
"To amend Chapter 218 of the Public-Local Laws of 1935, relating to the salary of the assistant to the solicitor of the Superior Court of Cumberland County." [Amends cited chapter to remove minimum of $75 and maximum of $100 on salary of assistant to superior court solicitor and to place amount of such salary within discretion of county commissioners.]
Feb. 7, passed House.

JOHNSTON COUNTY

HB 35 - Introduced by Thomas and Coates, Jan. 15 (Four Oaks charter revision)
Feb. 3, passed House; Feb. 6, amended in Senate to delete provisions which authorized meeting of board of commissioners in executive session upon 3/5 vote of entire board; passed second reading in Senate.

HB 121 - Introduced by Thomas, Jan. 28 (Raising sheriffs office allocation)
Feb. 7, passed House.

ROBESON COUNTY

SB 92 - Introduced by Moore, Feb. 5
"To amend G.S. 14-401.5 relating to the practice of phrenology, palmistry, fortune telling, or clairvoyance." [G.S. 14-401.5 makes it a misdemeanor to engage in practices named in title, except in connection with school or church socials held in school or church buildings, and affixes as maximum penalty $500 fine, 1 year imprisonment, or both. Effective July 1, 1953, this bill makes cited section applicable to Robeson County.] To Counties, Cities and Towns.

HB 67 - Introduced by Regan and Floyd, Jan. 22 (Tax prepayment discounts)
Feb. 2, received in Senate; sent to Finance.

HB 68 - Introduced by Regan and Floyd, Jan. 22 (Validating tax sales and agreements)
Feb. 6, ratified.

HB 178 - Introduced by Regan and Floyd, Feb. 4
"To authorize the Robeson County Board of Commissioners to deed or lease property to the State of North Carolina upon which may be constructed a highway patrol headquarters." [Authorizes commissioners to lease, deed or rent for a nominal sum as much real estate (now owned or acquired hereafter by county) as may be necessary for erecting building for state highway patrol headquarters.] To Local Government.

INSTITUTE OF GOVERNMENT
Legislative Service

WEEKLY LEGISLATIVE SUMMARY

P. O. Box 1658 111 West Morgan St., Raleigh, N. C. February 7, 1953

NOTE: This is the fourth of a series of weekly summaries of the work of the North Carolina General Assembly of 1953. It is confined to discussions of matters of general interest and major importance.

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Public legislation of major importance began coming in faster and the rate of bill introductions began to pick up as the General Assembly finished its fifth week. Public hearings outside of appropriations hearings have begun to attract state-wide attention; bills of general interest are making their way to the floor of both houses daily, and they are being dispatched with desultory debate; bills ratified into law include some legislation of importance. The Governor's legislative program is moving along with apparent support from both houses and will probably move faster following his return to Raleigh. Occasional references to controversial legislation not yet introduced and the fact that the appropriations and finance committees are still doing spadework serve as reminders that much work remains to be done.

Appropriations and Finance

Attention this week has shifted to the state's revenue laws, partly because of the disturbing implications of appropriations requests which now exceed the Advisory Budget Commission's recommendations by over $50 million. A joint finance sub-committee was assigned the task of examining the state's reportedly complicated corporate tax structure with an eye to making it more attractive to industry; a second sub-committee was assigned the job of "modernizing" the license tax schedules (set in 1931) in the light of two decades of economic change. Despite Rep. Winkler's proposal, made on Monday, which would impose a 1 cent tax on retail sales of soft drinks and bring in an estimated $1 1/2 million annually, little legislative support for additional taxes is evident.

Appearances by the consolidated University of North Carolina and the Hospitals Board of Control highlighted the appropriations committee hearings this week. Two more weeks of hearings remain. University officials asked for over $5 million, divided between operating funds and permanent improvements, and suggested that if university needs were also incorporated in a bond issue, they would request about $6 million. The Hospitals Board of Control requested in addition $5.3 million for operations and fixed $25 million as necessary for permanent improvements. No decision on appropriations, revenues, and bond issues is expected until Governor Umstead has delivered his budget message.

Meanwhile nibbles are being made at state funds by bills seeking $35,000 for the employment of six school music supervisors, and $10,000 for research on hay-rot.

Reorganization

Administration reorganization bills in various stages of legislative processing met little opposition during the week. One bill (SB 64), aimed at a reorganization of the Department of Conservation and Development by empowering the Governor to appoint an entirely new 15-member board on July 1, 1953, received rapid approval from the Senate C&D committee and passed the Senate on Friday without a dissenting vote. Displaying an impressive array of sponsors' signatures on their jackets but accompanied by rumors of some opposition, identical bills were introduced in the House and Senate on Thursday to permit a five-member committee appointed by the Governor to increase the number of highway divisions from 10 to 15 and change the boundaries of existing divisions if the Governor determines such changes to be in the public interest. Suggested by Governor Umstead's inaugural message, the last public bill introduced this week in the House (HR 205) provides for a nine-member commission to be appointed by the Governor to study and make recommendations to the Governor by Nov. 15, 1954, as to the necessity and advisability of a reorganization of the state government in the interest of more efficient and economical administration. HB 36, which creates a three-man paroles board, was ratified on Tuesday.

Courts

Governor Umstead, in his inaugural address, urged more superior court judges but no additional judicial districts, in order to reduce the work load of the judges. This week Rep. Whitmire introduced HB 163, proposed by the Judicial Council, which would add an additional resident judge in the 4th, 9th, 10th, 12th, 14th, and 19th districts and provide for their assignment and rotation. The new judges would be appointed by the Governor this year to serve until their successors are elected in the 1954 general elections. While it is hoped that the new resident judges will reduce the need for as many as eight special judges, HB 175 would give the Governor what has become standard authority to appoint as many as eight for two-year terms.

Roads and Highway Safety

Law enforcement officers seeking to curb speeders on the highways opposed "hot-rod" enthusiasts at the public hearing on HB 90 held on Thursday before the House Judiciary 2 committee. Suggested by Governor Umstead in his inaugural message, the bill would prohibit operation on the highways of any motor vehicle which has been altered so as to increase its speed. The committee deferred action on the proposal following a lively debate. The Senate bill designed to impose a mandatory prison sentence on drunken drivers for second and subsequent offenses received committee approval in the form of a substitute bill this week. The committee substitute would change the penalty originally proposed for a second offense from imprisonment for from 60 days to 6 months to imprisonment in discretion of the court, and for third or subsequent offenses from imprisonment for from 6 months to 2 years to imprisonment for from 60 days to 2 years. The substitute bill is on the Senate calendar for Monday.

Election Law Changes

On Monday night six bills containing election law changes endorsed by the State Board of Elections were introduced in the Senate. Perhaps the most newsworthy measure would revise the law providing for investigation and prosecution of election law violations, require SBI investigations on request of the Governor, Board of Elections, Attorney General or any superior court solicitor, permit removal of trial from the county in which the offense took place to any county in the judicial district or adjoining district, and permit prosecution of violations constituting a felony by the Attorney General when called upon by the Governor and Board. Hard-pressed precinct officials will hail the bill requiring any precinct having more than 1500 registrations to be split so that no precinct will have more than 1500 registrations. Among other changes were (1) increased compensation for county election board members, (2) advance registration provisions for cities above 50,000, and (3) statutes to carry into effect the constitutional change permitting the Governor to fill legislative vacancies by appointment of the person recommended by the county executive committee of the party of the deceased member rather than by special election.

Local Government

Expected permissive "home-rule" legislation has now materialized in the form of three house bills to give county commissioners authority to fix: (1) salaries of all county officials and employees except county commissioners; (2) fees of the superior court clerk, register of deeds, sheriff, jailor, and coroner; and (3) the number of county employees. The Senate has passed and the House received legislation designed to permit the use of on-street parking meter revenues in purchasing and maintaining off-street parking lots.

Miscellaneous

To meet in North Carolina what has become an urgent national problem, SB 86 drastically tightens the Uniform Narcotic Drug Act and provides stiff penalties for violators (who are rumored to be busy in the vicinity of Fort Bragg)....Fishermen, tobacco farmers, and short line railroads will find bills of interest which (1) revise commercial fishing taxes and regulations; (2) reduce tobacco warehouse commissions from 2 1/2% to 2%; and (3) eliminate statutory regulation of intrastate railroad fares and transfer such regulation to the Utilities Commission....Another proposal would require routing of school buses to within 1/2 mile of any child living more than 1 1/2 miles from school

INSTITUTE OF GOVERNMENT

LEGISLATIVE SERVICE

GENERAL ASSEMBLY OF NORTH CAROLINA

DAILY BULLETIN

P. O. Box 1658 111 West Morgan St., Raleigh, N. C. Telephone 3-5515

BULLETIN NO. 24
Monday, February 9, 1953

NOTE

The Senate convened at 9:30 a.m., Saturday, February 9, to consider local bills only. No bills were introduced; calendar action taken is included in this bulletin.

Session: Senate -- 7:30 p.m.

PUBLIC BILLS INTRODUCED -- SENATE

SB 97 - **Introduced** by Bailey and others

"To provide for income tax credits contingent upon accumulated surplus in the General Fund." [Adds G.S. 105-133.1 to provide that: (1) on Aug. 1 of each year beginning with 1954, State Treasurer is to report to Governor total General Fund revenues for preceding fiscal year; (2) if total General Fund revenue exceeds appropriations from General Fund for that year, Governor is to proclaim existence of such surplus and estimate income tax revenue to be received in current fiscal year; (3) disregarding fractions of one percent, the percentage which such surplus is of estimated current income tax revenue is to be allowed each taxpayer (individuals, fiduciaries and corporations) as percentage deduction on income tax due for taxpayer's income year ending during State's current fiscal year; (4) if taxpayer's income year ends during State's current fiscal year, but prior to Governor's proclamation, he may file amended return for credit refund; and (5) surplus proclaimed is then subject to appropriation for current fiscal year to compensate for anticipated reduction in that year's income tax revenues.] To Finance.

SB 98 - Introduced by McIntyre and others

"To require the filing in the office of the Clerk of the Superior Court the names, addresses and amounts paid to all persons receiving public assistance of any nature under any welfare or public assistance program." [Directs each county board of public welfare to file with CSC, on or before 30th of Jan., April, July, and Oct., a report showing names, addresses, and amounts of money or other property paid to all recipients of assistance payments or other benefits under any public welfare program in which county or state contributes funds. If funds paid recipients are entirely state funds, directs state agency disbursing funds to file such report with CSC of each county. Report must also show names, addresses and salaries paid all employees of county welfare boards. Declares reports to be public records but does not authorize disclosure of records of children adopted or placed in foster homes. Directs county welfare board or state agency concerned to file report with each county commissioner and with chief executive or administrative officer of each municipality in county to be made available to governing body. Makes it a misdemeanor to solicit, disclose, receive, make use of, or to authorize, knowingly permit, participate in, or acquiesce in the use of, any list of names derived from such reports for commercial or political purposes or any purpose not connected with administration of public assistance. Makes it a misdemeanor for county superintendent of public welfare or state officer or agents to fail or refuse to file required reports or to conspire to prevent any information from being filed.] To Public Welfare.

SB 99 - Introduced by Crawford
"To designate wild boar as a game animal." [Amends G.S. 113-83, dealing with Game Law definitions, to add 'wild boar' to definition of 'game animals'.] To Wildlife.

LOCAL BILLS INTRODUCED -- SENATE

SB 100 - (Graham) Introduced by Crawford
"To prohibit fishing with trot lines in Cheoah Lake in Graham County, or in any other portion of said lake." [Makes it misdemeanor to take fish by means of trot line in Cheoah Lake; each day any person allows trot line in lake or takes fish from such line is a separate offense.] To Wildlife.

SENATE CALENDAR ACTION

PUBLIC BILLS

SB 28 - Mortgage registration. Passed second and third readings.

HB 20 - Authorizing corporation certificate amendments (House committee substitute 1/27). Passed second and third readings.
HB 57 - Auditor facsimile signature. Received from House; sent to Judiciary 2, 2/7.
HB 58 - Oxford Orphanage charter amendment. Passed second and third readings, 2/7.
HB 96 - Renaming prison records section. Passed second and third readings.
HB 107 - Bail pending appeal. Passed second and third readings.
HB 135 - Automatic objections to court questions. Passed second and third readings.
HB 138 - Eliminating solicitor's court costs approval. Passed second and third readings.
HB 148 - Defining relatives for military benefits. Received from House; sent to Judiciary 2, 2/7.

LOCAL BILLS

HB 31 - (Wayne) Delinquent tax collection fund transfer. Received from House; sent to Counties, Cities and Towns, 2/7.
HB 35 - (Johnston) Four Oaks charter revision, as amended in Senate 2/6. Passed third reading.
HB 53 - (Rockingham) CSC and register fees. Received from House; sent to Salaries and Fees.
HB 63 - (Rowan) Salisbury meat inspection. Received from House; sent to Agriculture, 2/7.
HB 76 - (Nash) Aiding charitable organizations, as amended in House 2/5. Received from House; sent to Counties, Cities and Towns, 2/7.
HB 80 - (New Hanover) Superior court assistant solicitor, as amended in House 2/5. Received from House; sent to Courts and Judicial Districts, 2/7.
HB 95 - (Caswell) JP warrants and receipts, as amended in House 2/5. Received from House; sent to Judiciary 2, 2/7.
HB 111 - (Montgomery) Star corporate limits (House committee substitute 2/4). Received from House; sent to Counties, Cities and Towns, 2/7.
HB 121 - (Johnston) Raising sheriff's office allocation. Received from House; sent to Salaries and Fees.
HB 131 - (Person) Adopting state rabies law. Received from House; sent to Public Health, 2/7.
HB 149 - (Cumberland) Coroner salary. Received from House; sent to Salaries and Fees.
HB 150 - (Cumberland) Rural police salaries. Received from House; sent to Salaries and Fees.

HB 151 - (Cumberland) Assistant solicitor salary. Received from House; sent to Salaries and Fees.
HB 156 - (Burke) Volunteer firemen poll tax exemption. Received from House; sent to Finance, 2/7.
HB 159 - (Caswell) Prohibiting palmistry. Received from House; sent to Judiciary 2, 2/7.
HB 160 - (Caswell) Prohibiting shows. Received from House; sent to Judiciary 2, 2/7.
HB 166 - (New Hanover) Authorizing commissioners to fix fees. Received from House; sent to Salaries and Fees.
HB 171 - (Catawba) Prohibiting dog damage payments. Received from House; sent to Counties, Cities and Towns, 2/7.
HB 183 - (Davidson) Register of deeds and CSC salaries. Received from House; sent to Salaries and Fees.
HB 191 - (Hyde) Increasing sheriff tax commission. Received from House; sent to Salaries and Fees.

Next session of Senate: 12 noon, Tuesday, February 10, 1953.

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BULLETIN NO. 24
Monday, February 9, 1953

NOTE
The House convened at 10:00 a.m., Saturday February 7, to consider local bills only. No bills were introduced; calendar action taken is included in this bulletin.

Session: House -- 7:00 p.m.

PUBLIC BILLS INTRODUCED -- HOUSE

HB 206 - Introduced by Allen of Granville

"To amend G.S. 14-401.4 relating to identification marks and numbers on machinery or other apparatus, including farm machinery and equipment." [G.S. 14-401.4(a) provides that no person may take possession (except by intestate succession) or dispose of (except as scrap or junk) any machinery or equipment after manufacturer's identification number or mark has been removed, altered or covered up unless new number has been secured according to law. Bill provides that such machinery may be taken into possession and/or sold by court order or under power contained in a security instrument in satisfaction of secured indebtedness. G.S. 14-401.4(c) provides that any user of farm machinery from or upon which manufacturer's identification number or mark had been obliterated or become unrecognizable could apply, before July 1, 1951, to Department of Motor Vehicles for identification number, such application to be accompanied by proof of ownership ; number received became valid only upon subsequent certification by highway patrolman that applicant had placed number on proper machinery. Bill adds provision that owner or holder of an instrument secured by any such machinery or purchaser thereof at foreclosure sale may apply for and receive valid identification number in same manner.] To Agriculture.

HB 207 - Introduced by Whitmire

"To substitute an endorsement on the original summons for the issue of alias and pluries summons." [Repeals G.S. 1-95 and G.S. 1-96, which provided that when defendants were not served with summons in civil actions or special proceedings within ten days, plaintiffs could sue out either alias or pluries summons within 90 days after preceding summons issued, to be served in 10 days. In tax suits and special assessment foreclosure suits, alias or pluries summons could be issued within two years after original summons issued whether any intervening summonses were issued or not. Failure to keep up chain of summonses issued against party not served resulted in a discontinuance as to that party. New summons against such party started new action. Bill replaces G.S. 1-95 and 1-96 with provision that new process is not necessary when such parties are not served, but clerk of court endorses on original summons on request by plaintiff extension of time for service. Same time limits apply as before. Discontinuance results on failure to secure endorsement in time; new action may be started by extension on original summons where endorsement is not secured in time. Amends G.S. 105-391(e) to make tax foreclosure summons law conform to above changes. Effective July 1, 1953, and applies to litigation pending on that date.] To Judiciary 1.

HB 211 - Introduced by Fisher of Transylvania

"To amend G.S. 112-18 to increase the pensions for class "A" and class "B" widows of Confederate soldiers." [Increases pensions from $600 to $720 annually for class "A" widows, and from $312 to $372 for class "B" widows.] To Appropriations.

LOCAL BILLS INTRODUCED -- HOUSE

HB 208 - (Caldwell) Introduced by Anderson

"Relating to the Board of Trustees of the Lenoir Graded School District." [Adds to law authorizing board of trustees for Lenoir Graded School District (Sec. 1, Ch. 321, 1913 Private Laws) following provisions: (1) any resident qualified voter may file for election to board by signing application before city clerk; (2) application must show party affiliation of candidate, and must be filed at least 30 days prior to election date; and (3) secretary of board of trustees is directed to prepare ballot bearing names of all candidates filing and designating number to be voted upon.] To Education.

HB 209 - (Columbus) Introduced by Floyd
"To repeal Chapter 786 of the Session Laws of 1951." [Repeals cited chapter, which provided: (1) for election in 1954 of solicitor for Columbus County recorder court; (2) that such court should have same powers, practice and procedure as a general county court beginning Dec., 1954; and (3) such court, beginning Dec., 1954, should have concurrent jurisdiction over divorces and annulments with Columbus superior court.] To Local Government.

HB 210 - (Columbus) Introduced by Floyd
"To amend Chapter 10 of the Session Laws of 1947 relating to duties of county auditor for Columbus County." [Amends Section 3 of cited chapter to add proviso that county commissioners may relieve auditor of any duties inposed by the chapter and impose all or part on county accountant or any other official appointed by the commissioners.] To Local Government.

HOUSE CALENDAR ACTION

PUBLIC BILLS

SB 24 - Probation violation appeals, as amended in Senate 2/5. Received from Senate; sent to Judiciary 2.
SB 37 - Computing kinship. Received from Senate; sent to Judiciary 1, 2/7.
SB 64 - Appointing conservation and development board. Received from Senate; sent to Conservation and Development, 2/7.
SB 81 - Highway 87 jurisdiction in Fort Bragg. Received from Senate; sent to Roads and Highway Safety, 2/7.
SB 82 - Regulating intrastate railroad fares. Received from Senate; sent to Public Utilities, 2/7.
SB 89 - Conveying state property to YMCA. Received from Senate; sent to Judiciary 2, 2/7.

HB 74 - Adopting new G.S. Vol. III. Reconsidered votes by which bill passed second and third readings; placed on roll call calendar.

LOCAL BILLS

SB 54 - (Guilford) Financing High Point library. Passed second reading.
SB 63 - (Catawba) Hickory court solicitor and clerk, as amended in Senate 2/6. Received from Senate; sent to Counties, Cities and Towns.
SB 80 - (Cumberland) Transferring ABC funds for tax revaluation. Received from Senate; sent to Counties, Cities and Towns, 2/7.
SB 85 - (Edgecombe) Bond when jury trial transferred. Received from Senate; sent to Judiciary 1, 2/7.
SB 87 - (Cabarrus) Concord officials salaries. Received from Senate; sent to Salaries and Fees, 2/7.

HB 25 - (Pamlico) Revaluation bond issue. Passed third reading.
HB 45 - (New Hanover) Carolina Beach referendum, as amended in House 2/5. Passed third reading.
HB 53 - (Rockingham) CSC and register fees. Passed second and third readings, 2/7.
HB 103 - (Duplin) Amending Calypso charter, as amended in House 2/6. Passed third reading.

HB 121 - (Johnston) Raising sheriff's office allocation. Passed second and third readings, 2/7.
HB 122 - (Pender) Veterans service officer levy increase. Passed third reading.
HB 149 - (Cumberland) Coroner salary. Passed second and third readings, 2/7.
HB 150 - (Cumberland) Rural police salaries. Passed second and third readings, 2/7.
HB 151 - (Cumberland) Assistant solicitor salary. Passed second and third readings, 2/7.
HB 166 - (New Hanover) Authorizing commissioners to fix fees. Passed second and third readings, 2/7.
HB 183 - (Davidson) Register of deeds and CSC salaries. Passed second and third readings, 2/7.
HB 191 - (Hyde) Increasing sheriff tax commission. Passed second and third readings, 2/7.

Next session of House: 12 noon, Tuesday, February 10, 1953.

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INSTITUTE OF GOVERNMENT

LEGISLATIVE SERVICE

GENERAL ASSEMBLY OF NORTH CAROLINA

DAILY BULLETIN

P. O. Box 1658 111 West Morgan St., Raleigh, N. C. Telephone 3-5515

BULLETIN NO. 25
Tuesday, February 10, 1953

Session: Senate -- 12 noon

PUBLIC BILLS INTRODUCED -- SENATE

SR 101 - (Joint Resolution) Introduced by Proctor
"Concerning the death and public services of the Honorable W. W. Neal, former member of the General Assembly of North Carolina." [As title indicates.] Passed three readings and sent to House.

SR 102 - (Joint Resolution) Introduced by Royster and Morgan
"Providing for the appointment of a commission by the Governor for the purpose of making a study of the school laws of this State and submitting recommendations as to a revision of the same to the 1955 session of the General Assembly." [Empowers Governor to appoint seven member commission to effect purpose cited in title. Commission is to advise with Division of Legislative Drafting and Codicifation of Statutes of the Department of Justice and to employ such other assistance as it may deem necessary. Members are to be paid expenses and per diem as provided for Advisory Budget Commission. All expenses of Commission are to be met from 1953-55 nine months school term appropriation.] To Education.

SR 103 - (Joint Resolution) Introduced by Hundley and others
"Requesting the Senators and the members of the House of Representatives from North Carolina in the Congress of the United States to vote against Senate Bill 281 entitled 'A bill to amend Section 1 (17) (a), Section 13 (3), and Section 13 (4) of the Interstate Commerce Act in order to extend to the Interstate Commerce Commission power to prescribe the discontinuance of certain railroad services in intrastate commerce when found to be unreasonably discriminatory against or to constitute an undue burden on interstate commerce.'" [Expressing the sense of the General Assembly that Senate Bill 281 confers additional power on ICC over purely local and intrastate matters and imposes additional work on ICC for which that body does not have the special competance of state regulatory bodies, bill makes request indicated in title.] To Public Utilities.

SB 104 - Introduced by Smith
"To amend G.S. 105-90 relating to emigrant and employment agents." [Rewrites G.S. 105-90 (a) to provide that any person, other than N. C. Employment Security Commission, who hires laborers or solicits emigrants in N. C. to be employed out of N. C., annually must obtain, and is entitled to: (1) state license, upon payment of $500 for each county in which he operates to Commissioner of Revenue; and (2) a county license, upon payment of $2000 to county treasury of each county in which he operates. Failure to obtain such license constitutes misdemeanor punishable by imprisonment from four months to two years or, in case of failure to obtain state license, by fine from $500 to $5000 and in case of failure to obtain county license, by fine from $1000 to $5000. Redesignates present G.S. 105-90 (c) and (d) as G.S. 105-90 (b) (1) and (2) so as to make those provisions apply to G.S. 105-90 (b) only.] To Judiciary 2.

SB 105 - Introduced by Godwin and others

"To promote safety on the highways, to encourage driver responsibility, and to provide for the giving of security and proof of financial responsibility by owners and operators of automobiles." [Effective January 1, 1954, repeals 1947 Motor Vehicles Safety and Responsibility Act (Art. 9, Ch. 20 of General Statutes) and in lieu thereof provides (1) that when an accident occurs and is reported, each operator and owner involved in accident and not exempted must deposit security with commissioner of motor vehicles in amount sufficient to satisfy judgments arising therefrom; and, retaining substance of 1947 Act, (2) that proof of financial responsibility for future accidents be shown prior to reinstatement of driver licenses following suspensions for failure to satisfy judgments arising from accidents and for violations of motor vehicle laws. Commissioner is to administer act and provide hearings for aggrieved persons, subject to review in courts as provided in bill. Security following accident: 20 days after receipt of report of accident which has resulted in death, or injury or property damage of any one person in excess of $100, commissioner is to determine amount of security in his judgment sufficient to satisfy any judgments resulting from accident that might be recovered against an operator or owner involved in accident, and within 60 days of such report must suspend, after 10 days' notice, driver's license of each operator and owner involved unless operator or owner deposits security required by commissioner. Act does not apply to persons (1) released from liability, (2) adjudicated not liable, (3) bound by written agreement to pay installments or otherwise, (4) covered by bond or liability insurance in amount not less than $5000 per person for bodily injury ($10,000 per accident) and not less than $1000 for property damage, issued by a properly authorized insurance company, and (5) qualifying as self-insurers. (Commissioner cannot fix amount of security to be deposited in excess of limits specified for acceptable limits of policy or bond.) Act also does not apply (1) to operator or owner in accident wherein injury or damage was limited to operator or owner, (2) to operator or owner of a motor vehicle legally parked at time of accident, or (3) to owner whose vehicle was being operated or was parked without permission at time of accident. Licenses suspended may not be renewed without security unless no action for damages has been instituted within 1 year after accident. Act applies to non-residents. Permits commissioner to reduce security if later judged excessive. Security deposits are to be applied only to judgment damages rendered against person on whose behalf the deposit was made or to settlements agreed to. Commissioner's findings cannot be used as evidence in civil action. Proof of financial responsibility for future: Retains substance of present law, but makes numerous minor changes including the following: (1) changes definition of judgment to eliminate requirement for $50 minimum damages where property damage is involved, (2) deletes provisions for suspension of registration certificates and plates for failure to satisfy judgments, (3) changes notice which judgment debtor must give judgment creditor upon application for privilege of installment payments from 5 days' notice to due notice, (4) sets out in detail information which motor vehicle liability policy must contain, (5) spells out provisions for filing bonds as proof of financial responsibility, including certification, recordation, and foreclosure of liens, (6) provides for at least two individual sureties (instead of one or more sureties as at present) owning real estate with combined equities over encumberances equal in value to twice amount of bond (instead of equal to at least amount of bond as at present), (7) prohibits garnishments of cash or securities deposited as proof of financial responsibility unless arising out of suit for damages for which deposit was required, (8) permits only person with more than 25 vehicles registered in name to qualify as self-insurer, and (9) permits commissioner of insurance under assigned risk plan to approve cancellation of insurance in event of non-payment of premiums. Failure to report accident is punishable by fine of up to $25; commissioner must suspend license of person failing to make such report until report is filed and may suspend for additional period of up to 30 days; knowingly giving false information is punishable by fine up to $1000 or imprisonment up to 1 year, or both; wilful failure to return license to commissioner when suspended is punishable by fine up to $500 or imprisonment up to 30 days, or both; other violations are subject to fine up to $500 or imprisonment up to 90 days, or both. Act does not apply to any accident or judgment arising therefrom or violation of motor vehicle laws occurring prior to effective date. Relocates and renumbers G.S. 20-232 as G.S. 20-17.1. Appropriates $210,000 per fiscal year from General Fund for administration of act during 1953-55 biennium.] To Insurance.

LOCAL BILLS INTRODUCED -- SENATE

HB 106 - (Wake) Introduced by Bailey

"To amend Chapter 177 of the Session Laws of 1949 relating to Sunday Motor Vehicle Races in Wake County." [Amends Ch. 177, Sec. 1, 1949 Session Laws to permit motor vehicles or motorcycle races in Wake County on no more than three Sundays in any calendar year, instead of flatly prohibiting such races.] To Counties, Cities and Towns.

SENATE CALENDAR ACTION

PUBLIC BILLS

SB 15 - Drunken driving penalties (Senate committee substitute 2/6). Amended to clarify and to provide that for any such offense committed more than 2 years after last conviction, penalty shall be fine of $200 or imprisonment or both in discretion of court; passed second and third readings.
SB 19 - Speeding and reckless driving penalties. Reported favorably as to committee substitute; postponed to 2/12.
SB 26 - Rewriting wills law. Reported favorably.
SB 31 - Incorporation by reference in wills. Reported unfavorably.
SB 33 - Proving service in civil actions. Reported favorably.
SB 36 - Partners joint and several liability. Reported favorably.
SB 41 - Proving attested instruments. Reported favorably.
SB 88 - Increasing highway divisions. Reported favorably as amended.
SB 101 - (Joint Resolution) Memorializing Neal. Passed three readings.

HB 142 - Judicial Council membership. Reported favorably.

LOCAL BILLS

SB 92 - (Robeson) Prohibiting palmistry. Reported favorably.
SB 93 - (Catawba) Hickory property sale payment. Reported favorably.
SB 95 - (Union) Adopting state rabies law. Reported favorably.

HB 25 - (Pamlico) Revaluation bond issue. Received from House; sent to Finance.
HB 31 - (Wayne) Delinquent tax collection fund transfer. Reported favorably
HB 65 - (Davidson) Lexington gas distribution control. Reported favorably.
HB 70 - (Martin) Oak City charter amendment. Reported favorably.
HB 76 - (Nash) Aiding charitable organizations. Reported favorably.
HB 79 - (Columbus) County commissioners election (House committee substitute 2/4). Reported favorably.
HB 82 - (New Hanover) Electing mayor. Reported favorably.
HB 111 - (Montgomery) Star corporate limits (House committee substitute 2/4). Reported favorably.
HB 115 - (Lenoir) Municipal-county court salaries. Reported favorably.
HB 117 - (Lenoir) Drawing jurors. Reported favorably.
HB 118 - (Lenoir) Rural fire protection. Reported favorably.
HB 122 - (Pender) Veterans service officer levy increase. Received from House; sent to Finance.
HB 125 - (Columbus) Tabor City commissioner election. Reported favorably.
HB 137 - (Catawba) Validating Longview street closing. Reported favorably.
HB 157 - (Forsyth) School treasurer selection. Reported favorably.
HB 158 - (Forsyth) Winston-Salem elections. Reported favorably.
HB 171 - (Catawba) Prohibiting dog damage payments. Reported favorably.

Next session of Senate: 12 noon, Wednesday, Febraary 11, 1953.

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BULLETIN NO. 25
Tuesday, February 10, 1953

Session: House -- 12 noon

PUBLIC BILLS INTRODUCED -- HOUSE

HB 212 - Introduced by Adams and Moore of Clay

"To designate wild boar as a game animal." [Identical with SB 99, digested in Senate section of Bulletin No. 24.] To Wildlife Resources.

HB 215 - Introduced by Collier and others

"To amend G.S. 136-41.3, relating to the maintenance of streets in municipalities with a population of fifteen hundred (1500) or less by contract with the State Highway and Public Works Commission." [Adds provision to cited section directing SH & PWC, when requested by governing body of municipality with less than 1500 population, to enter agreement for maintenance or improvement of streets in such town to extent funds available under G.S. 136-41.1 and 136-41.2 permit. Limits charge to be made by SH & PWC to actual costs. Effective July 1, 1953.] To Roads and Highway Safety.

HB 216 - Introduced by Branch

"To amend G.S. 15-10.1 relating to the issuance of detainers for persons confined in the state prison so as to authorize said detainers to be issued by a judge, or clerk of superior court." [Authorizes clerk or judge of court in which a charge is docketed and pending against person in prison to issue written order of detainer, instead of judge only.] To Judiciary 2.

HB 217 - Introduced by Taylor of Buncombe and Kilpatrick

"To amend G.S. 95-54 relating to the board of boiler rules and bureau of boiler inspection so as to add a heating contractor as a member thereof." [Adds licensed heating contractor to boiler rules board, to be appointed by Governor for five year term. His successor and successors to four present gubernatorial appointees are to serve five year terms. Commissioner of Labor remains as chairman, and is now sixth member of board.] To Manufacturers and Labor.

HB 220 - Introduced by Greene

"To amend G.S. 113-120.1 relating to trespassing on posted property to hunt, fish, or trap." [Adds "legally established water fowl blinds" of another to lands, ponds, and waters where entry to hunt, fish, or trap is misdemeanor after prohibiting notices are posted. Deletes provision that no arrest can be made without consent of owner or agent.] To Wildlife Resources.

HB 222 - Introduced by Fisher of Cumberland and O'Hanlon

"To provide for the mandatory suspension of a driver's license upon conviction of speeding over sixty-five (65) miles per hour." [Adds G.S. 20-16.1 directing motor vehicles department to suspend operator's or chauffeur's license for period of 90 days for first offense and six months for each subsequent offense occurring within one year of immediately preceding prior offense, upon receipt of record of conviction for speeding in excess of 65 mph. Does not prevent longer suspension where authorized by law. Applies only to cases wherein first or prior offense occurs after effective date of bill.] To Judiciary 1.

HB 223 - Introduced by Whitmire

"To amend General Statutes 17-10 relating to penalty for refusal to grant applications for writs of habeas corpus." [Adds to cited statute provision that if the applicant for habeas corpus is not entitled to writ because of G.S. 17-4 (which lists four grounds for denial) or if legality of imprisonment has already been determined on prior writ, judge may deny writ and not be subject to $2500 penalty.] To Judiciary 1.

HB 225 - Introduced by Gavin and Clark of Lincoln,

"To authorize the boards of county commissioners to extend the time for quadrennial assessments for taxation." [Amends G.S. 105-278 to permit commissioners to postpone quadrennial revaluation of real property for 1953 and 1954.] To Local Government.

LOCAL BILLS INTRODUCED -- HOUSE

HB 213 - (Craven) Introduced by Whitehurst

"To amend Chapter 117 of the Session Laws of 1951, to fix the salaries and travel allowances of the sheriff, his deputies and clerk, the clerk of the superior court, juvenile court judge, clerk of recorder's court and assistant or deputy clerks of the superior court and recorder's court, and the register of deeds and deputies in Craven County." [Amends Ch. 117, 1951 Session Laws, to authorize commissioners to (1) increase by not more than 10% salaries of officials listed in title, retroactive to July 1, 1952; and (2) pay upon presentation of statement thereof actual and necessary travelling expenses incurred in performance of official duties to sheriff and first and second deputies (up to $50 per month each); CSC and register (up to $300 each per annum).] To Local Government.

HB 214 - (Cleveland) Introduced by Falls

"To authorize the board of commissioners of Cleveland County to transfer certain delinquent tax collections to the general fund." [Authorizes commissioners to pay into general fund all taxes overdue for two years or more on date collected and all interest, penalties and costs due thereon.] To Local Government.

HB 218 - (Nash) Introduced by Williams

"To amend Chapter one hundred and thirty-five of the Public Laws of 1919, authorizing cities, towns, and counties to aid agricultural, animal, and poultry exhibits." [Amends cited chapter to authorize Nash or Edgecombe County or City of Rocky Mount to appropriate up to $1000 annually to aid any agricultural, animal, or poultry exhibition held within their limits. Validates appropriations by Nash and Edgecombe county commissioners and Rocky Mount board of aldermen already made in excess of $100 limit permitted in 1919 law.] To Counties, Cities and Towns.

HB 219 - (Bladen) Introduced by Clark

"To regulate the fees to be received by justices of the peace in Bladen County." [Sets detailed fee schedule for Bladen JP's.] To Salaries and Fees.

HB 221 - (Cumberland) Introduced by Fisher

"To prohibit the hunting and taking of deer in Cedar Creek and Beaverdam townships, in Cumberland County, until the first of October, 1956." [As title indicates. Violation is misdemeanor, punishable by fine or imprisonment in discretion of court.] To Wildlife Resources.

HB 224 - (Wake) Introduced by Pou

"To repeal Chapter 177 of the Session Laws of 1949 relating to Sunday motor vehicle races in Wake County." [Repeals cited chapter, which prohibits motor vehicle races on Sunday in Wake County.] To Propositions and Grievances.

HOUSE CALENDAR ACTION

PUBLIC BILLS

SB 24 - Probation violation appeals, as amended in Senate 2/5. Reported favorably.
SB 28 - Mortgage registration. Received from Senate; sent to Judiciary 1.
SB 39 - Reducing executors renunciation period. Reported favorably as amended.
SB 44 - Delegating county welfare board powers. Reported favorably.
SB 52 - Confederate Woman's Home admissions. Reported favorably.
SB 84 - Assistance checks of dead recipients. Reported favorably.

SB 89 - Conveying state property to YMCA. Reported favorably.
SR 101 - (Joint Resolution) Memorializing Neal. Received from Senate; placed on calendar; passed second and third readings.

HB 74 - Adopting new G.S. Vol. III. Passed second reading.
HB 174 - Governor's emergency war powers. Reported favorably as amended.
HB 175 - Providing special judges. Reported favorably as amended.
HB 202 - G.S. ratification and codification. Reported favorably as amended.

LOCAL BILLS

SB 54 - (Guilford) Financing High Point library. Passed third reading.

HB 28 - (Rockingham) Reidsville recorder court jury trials. Reported favorably.
HB 35 - (Johnston) Four Oaks charter revision, as amended in Senate 2/6. Received from Senate for concurrence in Senate amendment; concurred.
HB 188 - (McDowell) Firemen jury duty exemption. Reported favorably.

BILLS RATIFIED

HB 20 - Authorizing corporation certificate amendment (House committee substitute 1/27).
HB 37 - Retroactive social security coverage. (Identical with SB 9).
HB 51 - Workmen's compensation dependency payments.
HB 96 - Renaming prison records section.
HB 107 - Bail pending appeal.
HB 135 - Automatic objections to court questions.
HB 138 - Eliminating solicitor's court costs approval.

Next session of House: 12 noon, Wednesday, February 11, 1953.

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INSTITUTE OF GOVERNMENT

LEGISLATIVE SERVICE

GENERAL ASSEMBLY OF NORTH CAROLINA

DAILY BULLETIN

P. O. Box 1658 111 West Morgan St., Raleigh, N. C. Telephone 3-5515

BULLETIN NO. 26
Wednesday, February 11, 1953

Session: Senate -- 12 noon

PUBLIC BILLS INTRODUCED -- SENATE

SB 107 - Introduced by Rankin and others

"Authorizing the Governor to close all woodlands and inland waters of the state to hunting, fishing and trapping during periods of protracted drought or when other hazardous fire conditions exist." [Adds G. S. 113-60.1 to G. S. Ch.113, Art. 4, (protection against forest fires) to permit Governor, by proclamation during period of drought and hazardous fire conditions, and for period of emergency and upo joint recommendation of director of Department of Conservation and Development and executive director of Wildlife Resources Commission, (1) to close woodlands and inland waters to hunting, fishing and trapping, (2) to forbid campfires or burning of brush , grass or debris within 500 feet of woodlands, and (3) to close woodlands when deemed proper, except to owners, tenants and agents or persons with written permission to enter for lawful purposes other than hunting, fishing, or trapping. Adds G. S. 113-60.2 to make Governor's proclamation effective 24 hours after issuance and provide for annulment by proclamation when Governor is satisfied, upon joint recommendation of Department director and Commission secretary, that period of emergency has passed. Adds G.S. 113-60.3 to make it a misdemeanor, punishable by fine or imprisonment in discretion of court, to violate provisions of Governor's proclamation.] To Conservation and Development.

SB 108 - Introduced by Rankin and others

"Relating to the control of forest insect, pest and tree diseases." [Adds Article 4-A to G.S. 113 to confer authority upon Dept. of Conservation and Development, Division of Forestry, acting through State Forester: (1) to determine existence of and declare boundaries of any area (control zone) where potential or actual attack of insect or disease, dangerously injurious to stands of potential immature or mature commercial timber trees and shade trees, constitutes insect and disease menaces to timber trees or stands within zone; (2) to recommend control measures to all owners of forest and shade trees in control zone; (3) to go upon the land in zone to control or suppress the insect or disease; (4) to apply to superior court of county in which land is located for injunction or other remedy to restrain land owner, who refuses to permit such entry or to adopt adequate control measures, from interfering with such entry; and (5) to make cooperative agreements with Federal Government, public and private agencies and owners of forest land to control more effectively insect attack and disease of forest and shade trees. A designated control zone is not recognized after State Forester determines that insect and disease control is no longer necessary or feasible. Article's provisions do not abrogate or alter authority vested in N. C. Dept. of Agriculture under existing statutes.] To Conservation and Development.

SB 109 - Introduced by Copeland and Godwin

"Regulating the cutting of pine seed trees." [Citing need of forest preservation, requires that every landowner who cuts or permits to be cut, or any person who cuts, is responsible for cutting, or procures another to cut, timber for commercial purposes from 5 acres or more of land on which loblolly or shortleaf pine occur to leave uncut and uninjured not less than average of 20 cone-bearing loblolly or shortleaf pines 14 inches or larger in diameter (distance through tree at average thickness measured through bark at point 10 inches above ground) on each 5 acres cut. If average of 20 such pines is not present on any 5-acre tract, two pines less than 14 in. in diameter must be left uncut for each pine (14 in or over) less than 20. Pines left uncut must have well-developed crowns with seeds therein. Does not apply when loblolly and short leaf pines compose 10% or less of trees on any 5 acres. Pines left uncut are property of landowner but must not be cut until 10 years after cutting of timber on such land. Provides for $10 penalty for each tree cut from land on which it is required to be left; penalties recovered are to be paid into school fund of county in which land lies. Does not apply to any 5 acres on which there are as many as 2000 or more loblolly or short leaf pines 6 feet or more in height at time of final cutting. Does not apply to land cleared for bona fide agricultural or pasture use or for building sites; however, land intended for agricultural or pasture use must be cleared of all trees, snags, brush, tree tops and debris or fenced and seed planted within 12 months of cutting, and construction must be begun on land cleared for building sites within 3 years from cutting. Does not apply to land for which management plan has been prepared and approved by state foresty division or to timber leases executed for definite periods of time prior to July 1, 1953. Becomes effective in any county in which county commissioners adopt act. Defines tree as any tree commercially valuable and 6 inches or more in diameter. Effective, July 1, 1953.] To Conservation and Development.

SB 110 - Introduced by Long

"To amend the Law Enforcement Officers' Benefit and Retirement Fund relating to the investment of funds and the Federal Deposit Insurance on said investments." [Amends G.S. 143-166 (g) to increase from $5,000 to $10,000 amount of funds which board of commissioners of Law Enforcement Officers' Benefit and Retirement Fund may invest in certificates of deposit in any one bank or trust company and shares of any one federal savings and loan or state building and loan association.] To Retirement-Employment Security.

LOCAL BILLS INTRODUCED -- SENATE

SB 111 (Edgecombe) Introduced by Weeks

"To exempt Edgecombe County from the application of Section 153-180 of the General Statutes of North Carolina." [Exempts county from the provisions of G.S. 153-180 which sets jailer's fee for furnishing prisoner's board at 50¢ and up to 75¢ in commissioners' discretion. Validates such fees in excess of 75¢ paid sheriff or jailer from Dec. 1, 1951 to date of bill's ratification "or for any other period of time". Relieves sheriff of liability for refund on account of such payments.] To Judiciary 1.

SB 112 - (Edgecombe) Introduced by Weeks

"Relating to the salary of the sheriff of Edgecombe County, his deputies and office assistants." [Amends Ch. 721, Sec. 1, 1949 Session Laws to increase sheriff's monthly salary from $360 to $432 and deputy sheriffs' monthly salary from $330 to $396. Requires county commissioners to pay sheriff a sum not to exceed $100 a month for payment of office expenses and office assistants. Effective July 1, 1953.] To Salaries and Fees.

SENATE CALENDAR ACTION

PUBLIC BILLS

SB 15 - Drunken driving penalties (Senate committee substitute 2/6), as amended in Senate 2/10. Recalled from House; vote by which bill passed third reading reconsidered; amended to provide that conviction of second offense of driving under influence of liquor or drugs committed more than 2 years after first such conviction is to be punished by minimum $200 fine or imprisonment or both in discretion of court; deletes provision which would make such penalty applicable to any conviction of such offense committed more than two years after last conviction; postponed to 2/12.

SB 26 - Rewriting wills law. Passed second and third readings.
SB 33 - Proving service in civil actions. Passed second and third readings.
SB 36 - Partners joint and several liability. Passed second and third readings.
SB 41 - Proving attested instruments. Passed second and third readings.
SB 88 - Increasing highway divisions. Amended to provide that committee is authorized to increase number of highway divisions and/or change boundaries of existing divisions prior to November 1, 1953 rather than at any time after ratification; passed second reading.

HB 142 - Judicial Council membership. Passed second and third readings.

LOCAL BILLS

SB 13 - (Graham) Jailer fees. Reported favorably.
SB 92 - (Robeson) Prohibiting palmistry. Passed second reading.
SB 93 - (Catawba) Hickory property sale payment. Passed second and third readings.
SB 95 - (Union) Adopting state rabies law. Passed second and third readings.

HB 31 - (Wayne) Delinquent tax collection fund transfer. Passed second and third readings.
HB 45 - (New Hanover) Carolina Beach referendum, as amended in House 2/5. Received from House; sent to Finance.
HB 65 - (Davidson) Lexington gas distribution control. Passed second reading.
HB 67 - (Robeson) Tax prepayment discounts, as amended in House 1/29. Reported favorably.
HB 70 - (Martin) Oak City charter amendment. Passed second and third readings.
HB 76 - (Nash) Aiding charitable organizations, as amended in House 2/5. Passed second and third readings.
HB 79 - (Columbus) County commissioners election (House committee substitute 2/4). Passed second and third readings.
HB 82 - (New Hanover) Electing mayor. Passed second and third readings.
HB 94 - (Mitchell) Postponing revaluation. Reported favorably.
HB 103 - (Duplin) Amending Calypso charter, as amended in House 2/6. Received from House; sent to Finance.
HB 111 - (Montgomery) Star corporate limits (House committee substitute 2/4). Passed second reading.
HB 115 - (Lenoir) Municipal-county court salaries. Postponed to 2/12.
HB 117 - (Lenoir) Drawing jurors. Passed second and third readings.
HB 118 - (Lenoir) Rural fire protection. Passed second and third readings.
HB 121 - (Johnston) Raising sheriff's office allocation. Reported favorably.
HB 125 - (Columbus) Tabor City commissioner election. Passed second and third readings.
HB 137 - (Catawba) Validating Longview street closing. Passed second and third readings.
HB 149 - (Cumberland) Coroner salary. Reported favorably.
HB 150 - (Cumberland) Rural police salaries. Reported favorably.
HB 151 - (Cumberland) Assistant solicitor salary. Reported favorably.
HB 156 - (Burke) Volunteer firemen poll tax exemption. Reported favorably.
HB 157 - (Forsyth) School treasurer selection. Passed second and third readings.
HB 158 - (Forsyth) Winston-Salem elections. Passed second and third readings.
HB 166 - (New Hanover) Authorizing commissioners to fix fees. Reported favorably.
HB 171 - (Catawba) Prohibiting dog damage payments. Passed second and third readings.
HB 183 - (Davidson) Register of deeds and CSC salaries. Reported favorably.

HB 191 - (Hyde) Increasing sheriff tax commission. Reported favorably.

BILLS RATIFIED

SB 54 - (Guilford) Financing High Point library.
SR 101- (Joint Resolution) Memorializing Neal.
HB 58 - Oxford Orphanage charter amendment.

Next session of Senate: 12 noon, Thursday, February 12, 1953.

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BULLETIN NO. 26
Wednesday, February 11, 1953

Session: House -- 12 noon

PUBLIC BILLS INTRODUCED -- HOUSE

HB 226 - Introduced by Womble of Wake and Whitmire

"Amending G.S. 105-149(e) so as to increase the exemption for dependents other than husband or wife from three hundred dollars ($300) to six hundred dollars ($600)." [Amends cited section to permit deduction from net income for purpose of computing North Carolina personal income tax an exemption of $600 (instead of $300) for each dependent other than husband or wife.] To Judiciary 1.

HB 227 - Introduced by Wilson

"To add a new section to Article 20, subchapter III, Chapter 163 of the General Statutes and to provide that employees be given a short period of time in which to vote on election days." [Adds G.S. 163-187.2 providing that persons qualified to vote in any state-wide primary or general election for state, county and district officers, or in any general primary or general election for municipal officers are entitled to two hours free time between opening and closing of polls on day of such election without being held liable by employer for any penalty, charge, deduction of wages, or violation of any contract with employer. Employers may set hours, but are guilty of misdemeanor and subject to fine of from $50 to $100 for (1) refusing such privilege; (2) discharging or threatening to discharge or inflicting any penalty or wage deduction upon any employee for taking such free time; or (3) violating, directly or indirectly, provisions of this section.] To Manufacturers and Labor.

HB 228 - Introduced by Williamson and others

"Amending G.S. 115-377 so as to place upon the State the responsibility for purchasing initial school buses." [Places duty of purchasing all school buses upon state, instead of continuing current division of responsibility for such purchases between counties (initial purchases) and State (replacement purchases.)] To Appropriations.

HB 231 - Introduced by Turner and others

"To define and establish the senatorial districts of the state, and to make the apportionment of the members of the Senate." [Repeals Ch. 225, 1941 Public Laws, and completely redistricts state into 38 districts (instead of 33) as follows (number of senators per district shown in parentheses): 1st -- Camden, Chowan, Currituck, Gates, Hertford, Pasquotank, and Perquimans (1); 2nd -- Bertie, Dare, Martin, Tyrrell, and Washington (1); 3rd -- Beaufort, Craven, Hyde, Pamlico, and Pitt (2); 4th -- Carteret, Jones, and Onslow (1); 5th -- Duplin and Lenoir (1); 6th -- Greene and Wayne (1); 7th -- Edgecombe, Nash, and Wilson (2); 8th -- Northampton, Halifax, Vance, and Warren (2); 9th -- Franklin and Wake (2); 10th -- Johnston (1); 11th -- Bladen and Sampson (1); 12th -- New Hanover and Pender (1); 13th -- Columbus and Brunswick (1); 14th -- Robeson (1); 15th -- Cumberland (1); 16th -- Harnett and Lee (1); 17th -- Alamance, Chatham, and Orange (2); 18th -- Durham, Granville, and Person (2); 19th -- Caswell and Rockingham (1); 20th -- Guilford (2); 21st -- Moore and Randolph (1); 22nd -- Hoke, Richmond, and Scotland (1); 23rd -- Anson, Cabarrus, Stanly, and Union (2); 24th -- Rowan (1); 25th -- Davidson and Montgomery (1); 26th -- Forsyth (2); 27th -- Stokes and Surry (1); 28th -- Alleghany, Wilkes, and Yadkin (1); 29th -- Alexander, Davie, and Iredell (1); 30th -- Mecklenburg (2); 31st -- Cleveland and Gaston (2); 32nd -- Catawba and Lincoln (1); 33rd -- Burke and Caldwell (1); 34th -- Ashe, Avery, Mitchell, Watauga, and Yancey (1); 35th -- McDowell, Polk, and Rutherford (1); 36th -- Buncombe and Henderson (2); 37th -- Haywood, Madison, and Transylvania (1); 38th -- Cherokee, Clay, Graham, Jackson, Macon and Swain (1).] To Senatorial Districts.

HB 232 - Introduced by Winkler

"To amend Chapter 18 of the General Statutes providing for additional taxes on the sale of beer, wine, and liquor." [Amends Section 18-85.1 to make additional tax on sale of fortified wines $1.40 per gallon instead of 40 cents per gallon. Amends G.S. 18-81 to add $1 per gallon additional tax on sale of unfortified wines, with revenue going entirely to state general fund; adds additional taxes as follows: $31 per 31 gallon barrel of beer, ale and other brewed or fermented beverages with from 1/2% to 5% alcohol by weight, or equivalent tax on larger or smaller containers; 9 1/2 cents per bottle or other container of not over 12 oz.; 25 cents per bottle or container of one quart or equivalent. All revenue goes to state general fund. Levies additional tax of 5% on retail price of spirituous distilled liquors sold, to be paid without regard to whether amount of this tax paid by county or municipal liquor stores exceeds 1/2 the net profits of such stores. Effective July 1, 1953.] To Finance.

HB 233 - Introduced by Satterfield

"Amending G.S. 113-257 so as to allow the owners of private ponds to take game fish therefrom for purposes of sale and to fix the penalty for the violation thereof." [Adds to G.S. 113-257 definition of private pond, as body of water arising within and lying wholly upon lands of a single owner or joint owners, from which fish cannot escape and into which fish of legal size cannot enter from public waters. Owners or invited guests may take fish therefrom without regulation (except use of explosives, drugs, and poison is prohibited) and owners may sell such fish when licensed under G.S. 113-255 for artificial propagation. Buying or selling fish in violation of these provisions is misdemeanor, punishable by fine not over $50 or imprisonment not over 30 days.] To Judiciary 2.

HB 235 - Introduced by Branch

"Amending G.S. 147-45 relating to the distribution of Supreme Court Reports and Session Laws." [Increases from 4 to 6 the number of copies of Supreme Court Reports and Session Laws to be distributed to the Industrial Commission.] To Judiciary 2.

HB 237 - Introduced by Umstead and others

"To amend Chapter 20 of the General Statutes of North Carolina to provide for the reimbursement of members of the State Highway Patrol for expenses incurred in connection with their duties." [Adds to G.S. 20-185 a paragraph directing that each member of the patrol be paid $60 monthly in addition to regular salary as an allowance for expenses incurred in performance of duties, which is to be in addition to all other allowances for subsistence and travel expense provided by law. Appropriates $763,200 from Highway Fund for payment of such allowance. Effective July 1, 1953.] To Appropriations.

HB 238 - Introduced by Whitehurst and Venters

"To amend Section 15-24 of the General Statutes relating to the issuance of warrants by justices of the peace." [Amends G.S. 15-24 to authorize magistrates in issuing warrant of arrest to make such warrants returnable before any other magistrate or court having jurisdiction within the same county, instead of before himself or the "nearest" magistrate as at present.] To Judiciary 1.

HB 239 - Introduced by Kilpatrick and Worthington

"To amend G.S. 115-371 by changing the age of enrollment in the public school system from October 1st of the year of enrollment to December 1st of the year of enrollment." [Present law directs enrollment in public schools of children who will become six years old on or before October 1 of year for which enrolled. Changes limiting date to December 1.] To Education.

HB 240 - Introduced by Long

"To amend G.S. 105-249 so as to provide exemptions from licenses, taxes and fees for blind persons." [Rewrites cited section (which now provides free privilege licenses for blind persons, states eligibility requirements therefore, and sets out procedure for issuance of same) to: (1) provide free to any blind person desiring to operate as sole proprietor any business, trade or profession as livelihood for himself and dependents any license or renewal thereof required by State or any department, licensing board, or commission thereof, or by any county or municipality therein; (2) define "blind person" as anyone totally blind or whose vision (with glasses) is "so deficient as to prevent the performance of ordinary activity for which eyesight is essential"; (3) make provisions applicable only to blind persons employing regularly, for remuneration of any kind, no more than one additional person (other than additional blind persons), and limit licenses obtainable free to those not conditioned upon passing a qualification examination; (4) require blind persons obtaining licenses in manner provided to keep at place of business statement of licensed oculist that he is blind as defined herein, and make failure to do so misdemeanor punishable by fine of not more than $25 for each offense; and (5) exempt from provisions of section licenses, taxes and fees relating to manufacture, processing, handling or sale of intoxicating beverages. Does not affect liabilities, civil or criminal, existing prior to effective date.] To Judiciary 1.

LOCAL BILLS INTRODUCED -- HOUSE

HB 229 - (Mecklenburg) Introduced by Gillette, Hicks, Goodman, and O'Herron

"To make Chapter 999 of the Session Laws of 1949 relating to the discounts allowable for prepayment of taxes levied by Mecklenburg County applicable to the town of Davidson." [Makes following prepayment discounts applicable to Davidson in lieu of G.S. 105-345(1), (2), and (6): If paid before or during August, 2%; during September, 1 1/2%; October, 1%; November, 1/2%; December and January, par.] To Counties, Cities and Towns.

HB 230 - (Cumberland) Introduced by Fisher and O'Hanlon

"To authorize the board of county commissioners of Cumberland County to transfer sufficient funds from the alcoholic beverage control fund to the general fund for the erection of an annex to the county agricultural building." [Permits county commissioners to transfer up to $40,000 from ABC funds to general fund to build annex to county agricultural building.] To Local Government.

HB 234 - (Iredell) Introduced by Randall

"To amend Chapter 613 of the Public-Local Laws of 1913 realting to the Mooresville Recorder's Court." [Amends cited act to provide that recorder must be bona fide resident and qualified voter within territorial jurisdiction of court instead of Coddle Creek Township.] To Local Government.

HB 236 - (Bladen) Introduced by Clark

"To make it a criminal offense for any person who has been convicted of violating the liquor laws from thereafter having any legal right to possess or transport or handle any intoxicating liquor whatsoever in Bladen County." [Makes it unlawful for any person convicted of or who pleads nolo contendere or guilty to charge of unlawful sale, unlawful possession for purpose of sale, or unlawful transportation for purpose of sale of any intoxicating liquor to sell, transport, purchase, or possess any intoxicating liquor in county for two years from date of plea or conviction. Violation is punishable by fine of at least $250 or one year imprisonment.] To Judiciary 2.

HB 241 - (Chowan) Introduced by White

"To authorize the board of county commissioners of Chowan County to turn into the general fund certain delinquent taxes upon collection of the same." [Authorizes county commissioners to turn into general fund collections on delinquent taxes for year 1951 and prior years. Collections on delinquent taxes for 1952 and subsequent years may be turned into general fund when collected after being delinquent for one year or more.] To Counties, Cities and Towns.

HOUSE CALENDAR ACTION

PUBLIC BILLS

SB 24 - Probation violation appeals, as amended in Senate 2/5. Amended to exempt Durham County; tabled.

SB 39 - Reducing executors renunciation period. Amended to make bill applicable only to wills admitted to probate on or after July 1, 1953 (instead of after date of enactment); passed second and third readings.

SB 44 - Delegating county welfare board powers. Passed second and third readings.

SB 52 - Confederate Woman's Home admissions. Passed second and third readings.

SB 59 - Population estimate as official census. Reported favorably.

SB 64 - Appointing conservation and development board. Reported favorably.

SB 81 - Highway 87 jurisdiction in Fort Bragg. Reported favorably.

SB 84 - Assistance checks of dead recipients. Re-referred to Judiciary 2.

SB 89 - Conveying state property to YMCA. Passed second and third readings.

HB 62 - Securing tobacco hogsheads. Reported favorably as to committee substitute; committee substitute adopted to permit use of manila or hemp rope of 5/8 inch diameter to secure tobacco hogsheads on trucks, and to change penalty provision of bill from fine up to $500 or imprisonment up to 60 days, or both, to fine or imprisonment in discretion of court.

HB 74 - Adopting new G.S. Vol. III. Passed third reading.

HB 97 - Stockholder assent to charter amendment. Reported favorably.

HB 146 - Relief of Cape. Withdrawn from Roads and Highway Safety; re-referred to Appropriations.

HB 164 - Extending civil defense program. Reported favorably.

HB 174 - Governor's emergency war powers. Clarifying amendment adopted; passed second and third readings.

HB 175 - Providing special judges. Re-referred to Judiciary 2.

HB 202 - G.S. ratification and codification. Clarifying amendment adopted; passed second and third readings.

LOCAL BILLS

SB 50 - (Wake) Raleigh special assessment procedure. Reported favorably.

SB 55 - (Union) Monroe primary election. Reported favorably as amended.

SB 63 - (Catawba) Hickory court solicitor and clerk, as amended in Senate 2/6. Reported favorably.

SB 80 - (Cumberland) Transferring ABC funds for tax revaluation. Reported favorably.

HB 28 - (Rockingham) Reidsville recorder court jury trials. Passed second and third readings.

HB 48 - (Gaston) Authorizing surplus expenditure. Reported favorably as amended.

HB 56 - (Guilford) Jamestown charter amendment. Reported favorably.

HB 128 - (Henderson) Hendersonville water commissioner appointment. Reported favorably.

HB 129 - (Henderson) Postponing revaluation. Reported favorably.

HB 132 - (Wake) Holly Springs charter amendment. Reported favorably.

HB 161 - (Duplin) Reward for capturing whiskey stills. Reported favorably as amended.

HB 169 - (Union) Extending Monroe limits. Reported favorably.

HB 172 - (Catawba) Register of deeds pay. Reported favorably.

HB 178 - (Robeson) Highway patrol headquarters site. Reported favorably.

HB 179 - (Gaston) Bessemer City charter amendment. Reported favorably.

HB 182 - (Davidson) Delinquent tax transfer. Reported favorably.
HB 186 - (Transylvania) Unused schools for community centers. Reported favorably.
HB 188 - (McDowell) Firemen jury duty exemption. Passed second and third readings.
HB 190 - (Avery) Tax penalties and discounts. Reported favorably.
HB 198 - (Rutherford) School gymnasium construction. Reported favorably.
HB 208 - (Caldwell) Lenoir school trustees election. Reported favorably as amended.
HB 210 - (Columbus) Transferring auditor duties. Reported favorably.
HB 213 - (Craven) Officials salaries and expenses. Reported favorably.
HB 214 - (Cleveland) Delinquent tax transfer. Reported favorably.
HB 218 - (Nash) Aid to agricultural exhibits. Reported favorably.

Next session of House: 12 noon, Thursday, February 12, 1953.

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INSTITUTE OF GOVERNMENT

LEGISLATIVE SERVICE

GENERAL ASSEMBLY OF NORTH CAROLINA

DAILY BULLETIN

P. O. Box 1658 111 West Morgan St., Raleigh, N. C. Telephone 3-5515

BULLETIN NO. 27
Thursday, February 12, 1953

Session: Senate -- 12 noon

PUBLIC BILLS INTRODUCED -- SENATE

SB 114 - Introduced by Moore

"Relating to the Lumbee Indians of North Carolina." [Citing desire of Indians now living in Robeson and adjoining counties to preserve their racial history, designates such Indians, originally found on Lumbee River in Robeson County and claiming joint descent from American colonists and certain Indian tribes originally inhabiting coastal regions of state, as Lumbee Indians.] To Propositions and Grievances.

SB 115 - Introduced by McIntyre

"To amend G.S. 31-28 validating probates where proof was taken by commissioner or another clerk." [G.S. 31-28 validates probates in common form made before any CSC prior to March 8, 1899 where testimony of subscribing witnesses was taken in or out of state by commissioner appointed by CSC or by any other CSC in any other county of state. This bill amends cited section to validate probates made prior to January 1, 1953.] To Judiciary 2.

SB 117 - Introduced by Hundley

"To amend G.S. 20 -7 relating to the penalty for operating motor vehicles after expiration of chauffeur's or operator's license and relating also to the penalty for operating motor vehicles without securing any operator's license at all." [Amends G.S. 20-7 (o) to add: (1) that penalty for failure to procure operator's license after expiration of same is in discretion of court for first offense, and minimum $25 fine or minimum 30 days imprisonment or both for all subsequent offenses; and (2) that penalty for driving without an operator's license is minimum $25 fine or minimum 30 days imprisonment or both "for the first two offenses", and minimum imprisonment of 60 days for third offense. Retains provisions of present law: (1) setting penalty for violating provisions of G.S. 20-7 relating to operators' and chauffeurs' licenses, at minimum $25 fine or minimum 30 day imprisonment or both; and (2) stating that no person be convicted of driving without an operator's license if he produces in court valid new operator's license issued to him within 30 days after expiration of prior license.] To Public Roads.

LOCAL BILLS INTRODUCED -- SENATE

SB 113 - (Sampson) Introduced by Vann

"To extend the corporate limits of the town of Salemburg in Sampson County." [Amends Chapter 129, 1905 Private Laws, as amended, to redefine and extend corporate limits. As defined, limits form a rectangle 4000 ft. long on north and south ends, 6000 ft. long on east and west sides.] To Counties, Cities and Towns.

SB 116 - (Halifax) Introduced by Crew
"To amend Sections 141 and 146 of Chapter 160 of the General Statutes of North Carolina relating to fees of building inspectors and electrical inspectors to apply to the city of Roanoke Rapids only." [Amends cited sections to permit city governing body to fix fees to be charged for inspection of electrical wiring and of building construction and repair by city inspectors. Fees are to be paid into city treasury.] To Judiciary 2.

SENATE CALENDAR ACTION

PUBLIC BILLS

SB 15 - Drunken driving penalties (Senate committee substitute 2/6), as amended in Senate 2/10 and 2/11. Passed third reading.

SB 19 - Speeding and reckless driving penalties. Committee substitute adopted to write into G.S. 20-141(j) that penalty for speeding shall be not more than $100 fine or 60 days imprisonment or both, in discretion of court, instead of completely in discretion of court; re-referred to Judiciary 1.

SB 34 - Unfair trade practices. Reported favorably.

SB 35 - Joint obligation statute of limitations. Reported favorably.

SB 39 - Reducing executors' renunciation period, as amended in House 2/11. Received from House for concurrence in House amendment; concurred.

SB 48 - Drunken driving presumptions. Reported favorably as amended.

SB 88 - Increasing highway divisions, as amended in Senate 2/11. Passed third reading.

SR 103 - (Joint Resolution) Disapproving ICC power extension. Reported favorably.

HB 74 - Adopting new G.S. Vol. III. Received from House; placed on calendar for 2/13.

LOCAL BILLS

SB 13 - (Graham) Jailer fees. Passed second and third readings.

SB 92 - (Robeson) Prohibiting palmistry. Passed third reading.

HB 28 - (Rockingham) Reidsville recorder court jury trials. Received from House; sent to Courts and Judicial Districts.

HB 65 - (Davidson) Lexington gas distribution control. Passed third reading.

HB 67 - (Robeson) Tax prepayment discounts, as amended in House 1/29. Passed second and third readings.

HB 94 - (Mitchell) Postponing revaluation. Passed second and third readings.

HB 111 - (Montgomery) Star corporate limits (House committee substitute 2/4). Passed third reading.

HB 115 - (Lenoir) Municipal-county court salaries. Passed second and third readings.

HB 121 - (Johnston) Raising sheriff's office allocation. Passed second and third readings.

HB 149 - (Cumberland) Coroner salary. Passed second and third readings.

HB 150 - (Cumberland) Rural police salaries. Passed second and third readings.

HB 151 - (Cumberland) Assistant solicitor salary. Passed second and third readings.

HB 156 - (Burke) Volunteer firemen poll tax exemption. Passed second and third readings.

HB 166 - (New Hanover) Authorizing commissioners to fix fees. Passed second and third readings.

HB 183 - (Davidson) Register of deeds and CSC salaries. Passed second and third readings.

HB 188 - (McDowell) Firemen jury duty exemption. Received from House; sent to Courts and Judicial Districts.

HB 191 - (Hyde) Increasing sheriff tax commission. Amended to make increased commission applicable only to collections following ratification; passed second and third readings.

Next session of Senate: 10:00 a.m., Friday, February 13, 1953.

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BULLETIN NO. 27
Thursday, February 12, 1953

Session: House -- 12 noon

PUBLIC BILLS INTRODUCED -- HOUSE

HB 246 - Introduced by Philpott by request
"To rewrite G.S. 10-9 relating to notarial seals so as to require the names of notaries to be stamped or typed under their official signatures." [Rewrites G.S. 10-9 to add requirement that notaries stamp or type their names under their signatures, but failure to do so is not to invalidate notary's act.] To Judiciary 2.

HB 248 - Introduced by Rodenbough
"Authorizing clerks of superior court to appoint a trustee in lieu of a guardian for adult persons who have been declared incompetent." [Permits CSC to designate person appointed to manage estate of incompetent adult a trustee rather than a guardian, but such person is subject to laws governing handling of estates by guardians.] To Judiciary 1.

HB 250 - Introduced by Long
"To exempt from the sales tax the sale of medical supplies and drugs prescribed or sold by veterinarians or veterinary hospitals for use in the treatment of animals." [Effective July 1, 1953, adds sentence to G.S. 105-169(k) to effect exemption indicated in title.] To Finance.

HB 251 - Introduced by Williamson
"To amend Chapter 260 of the Session Laws of 1951 relating to the maintenance of city streets constituting parts of the state highway system and other city streets in municipalities having a population of one thousand persons or less." [Adds Sec. 3 1/2 to Ch. 260, 1951 Session Laws to provide that (1) municipalities with population under 1000 eligible for allotment of state funds for non system street construction, maintenance or improvement (under provisions of said Ch. 260) will receive such funds in form of credit with SH&PWC (instead of in cash); (2) such towns forward request to SH&PWC for any necessary street construction, designate location and details of work to be done, provide necessary rights of way and authority for removal of obstructions, and hold SH&PWC free from all costs and damage claims arising from acquisition of such rights of way and from obstruction removal, other than those arising from negligence of SH&PWC (SH&PWC may pay for such acquisition and removal and charge payment to town account); (3) SH&PWC either do such construction itself (at same rate charged by one of its own departments against another) or employ contractor (at contract cost, plus engineering and inspection) to do all such work, within limit of credit balance in town's account; and (4) SH&PWC notify mayor of each such town of credit balance in town's account (as of June 30) on or before October 1 each year, and that commissioner of division in which such work is done certify to chairman of SH&PWC stated account showing expenditure of funds in behalf of town. Effective July 1, 1953.] To Roads and Highway Safety.

HB 252 - Introduced by Womble of Forsyth, Gobble and Stone
"To validate actions heretofore taken in relation to sanitary districts, including the creation or dissolution thereof, the issuance of bonds thereby, and the appointment or election of members of the governing boards thereof." [Validates all county commissioner or state officer or agency actions in forming or attempting to form, dissolving or attempting to dissolve sanitary districts anywhere in state. Validates sanitary and purported sanitary district actions and elections for bond issues, and declares bonds issued legal obligations of such districts. Confirms members of all sanitary district boards and gives them all powers and duties granted by G.S. Art. 6 of Ch. 130. Vacancies in sanitary boards are to be filled by commissioners of county in which sanitary district is located.] To Finance.

HB 253 - Introduced by Uzzell

"To provide for the use of unexpended maintenance appropriations for capital improvements at charitable, correctional and educational institutions of the state." [Provides that all unexpended maintenance funds for state charitable; correctional, and educational institutions are to be set aside each biennium as permanent appropriation to each institution for capital improvements, subject to allocation for specific projects by General Assembly.] To Appropriations.

LOCAL BILLS INTRODUCED -- HOUSE

HB 242 - (Henderson) Introduced by Whitmire

"Governing the drawing of jurors in Henderson County." [Amends G.S. 9-4 to provide for drawing following number of jurors for superior court terms in Henderson County: March term, 42 for first week and 24 for second; all other terms, 30 for first week and 24 for second. Effective July 1, 1953.] To Judiciary 1.

HB 243 - (Moore) Introduced by Blue

"Fixing fees to be charged and collected by the register of deeds of Moore County, North Carolina." [Fixes, "effective March 1, 1953", detailed schedule of fees to be charged by register. Provides that register turn over fees collected to general county fund monthly. "Effective first day of first month following ratification."] To Local Government.

HB 244 - (Moore) Introduced by Blue

"To fix the fees and commissions of the clerk of the superior court and the clerk of the recorder's court of Moore County, North Carolina." [Provides that fees for cited officials shall be same as provided for CSC and clerk of general county court in Alamance County by Chapter 744, 1951 Session Laws. Directs payment of such fees by both clerks to general county fund. Effective first day of first month following ratification.] To Local Government.

HB 245 - (Granville) Introduced by Allen

"To amend the charter of the town of Creedmore, Chapter 398 of the Private Laws of 1905, relating to the appointment of certain town officers." [Amends cited section to delete requirement that marshall or policemen, clerk, treasurer, and tax collector must be citizens of town.] To Local Government.

HB 247 - (Franklin) Introduced by Yarborough

"Relating to the civil jurisdiction of the county recorder's court of Franklin County." [Amends Ch. 433, 1929 Public-Local Laws, as amended by Ch. 187, 1931 Public-Local Laws, and Ch. 751, 1949 Session Laws to (1) raise from $4 to $8 fee to be taxed and paid to judge in each civil action; (2) provide that recorder court civil process is to be issued and have same force and effect as superior court process; and (3) validate court judgments, actions, and process previously taken, rendered, or issued which would be valid under this bill.] To Counties, Cities and Towns.

HB 249 - (Montgomery) Introduced by Allen

"To amend G.S. 143-135 relating to the letting of a public contract for extending and improving the water system in the town of Mount Gilead in Montgomery County." [Adds proviso to G.S. 143-135 to permit town commissioners to construct and improve town water system using town employees at cost not to exceed $50,000 (amount approved in town bond election, January 10, 1953). G.S. 143-135 now limits $15,000 cost of projects to be performed by town employees without complying with all provisions of Art. 8, G.S. Ch. 143.] To Local Government.

HOUSE CALENDAR ACTION

PUBLIC BILLS

SB 24 - Probation violation appeals, as amended in Senate 2/5 and House 2/11. Vote by which bill was tabled reconsidered; re-referred to Judiciary 1.
SB 26 - Rewriting wills law. Received from Senate; sent to Judiciary 1.
SB 33 - Proving service in civil actions. Received from Senate; sent to Judiciary 2.
SB 36 - Partners joint and several liability. Received from Senate; sent to Judiciary 2.
SB 41 - Proving attested instruments. Received from Senate; sent to Judiciary 1.
SB 44 - Delegating county welfare board powers. Recalled from enrolling office.
SB 59 - Population estimate as official census. Passed second and third readings.
SB 64 - Appointing conservation and development board. Passed second and third readings.
SB 81 - Highway 87 jurisdiction in Fort Bragg. Passed second and third readings.

HB 62 - Securing tobacco hogsheads (House committee substitute 2/11). Postponed to 2/17.
HB 97 - Stockholder assent to charter amendment. Passed second and third readings.
HB 164 - Extending civil defense program. Passed second and third readings.
HB 167 - Oyster dredge weight limits. Reported favorably.
HB 226 - Additional income tax exemption. Withdrawn from Judiciary 1; sent to Finance.

LOCAL BILLS

SB 50 - (Wake) Raleigh special assessment procedure. Passed second reading.
SB 55 - (Union) Monroe primary election. Amended to correct typographical error; passed second and third readings.
SB 63 - (Catawba) Hickory court solicitor and clerk, as amended in Senate 2/6; passed second and third readings.
SB 80 - (Cumberland) Transferring ABC funds for tax revaluation. Passed second and third readings.
SB 93 - (Catawba) Hickory property sale payment. Received from Senate; sent to Counties, Cities and Towns.
SB 95 - (Union) Adopting state rabies law. Received from Senate; sent to Agriculture.

HB 29 - (Rockingham) Fox hunting. Reported favorably.
HB 38 - (Rowan) Fox hunting. Reported favorably.
HB 41 - (Bertie) Bay rum prohibition exemption. Reported favorably.
HB 48 - (Gaston) Authorizing surplus expenditure. Amended to delete social security fund surplus from money authorized to be used for renovating and constructing county buildings; passed second and third readings.
HB 56 - (Guilford) Jamestown charter amendment. Passed second and third readings.
HB 128 - (Henderson) Hendersonville water commissioner appointment. Passed second and third readings.
HB 129 - (Henderson) Postponing revaluation. Passed second and third readings.
HB 132 - (Wake) Holly Springs charter amendment. Passed second reading.
HB 161 - (Duplin) Reward for capturing whiskey stills. Amended to correct typographical error; passed second and third readings.
HB 169 - (Union) Extending Monroe limits. Passed second reading.
HB 172 - (Catawba) Register of deeds pay. Passed second and third readings.
HB 178 - (Robeson) Highway patrol headquarters site. Passed second and third readings.
HB 179 - (Gaston) Bessemer City charter amendment. Passed second and third readings.
HB 182 - (Davidson) Delinquent tax transfer. Passed second and third readings.

HB 186 - (Transylvania) Unused schools for community centers. Passed second and third readings.
HB 190 - (Avery) Tax penalties and discounts. Passed second and third readings.
HB 198 - (Rutherford) School gymnasium construction. Passed second and third readings.
HB 208 - (Caldwell) Lenoir school trustees election. Amended to provide that no more than four trustees can belong to same political party; passed second and third readings.
HB 210 - (Columbus) Transferring auditor dutids. Passed second and third readings.
HB 213 - (Craven) Officials salaries and expenses. Passed second and third readings.
HB. 214 - (Cleveland) Delinquent tax transfer. Passed second and third readings.
HB 218 - (Nash) Aid to agricultural exhibits. Passed second and third readings.

Next session of House: 10:00 a.m., Friday, February 13, 1953.

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INSTITUTE OF GOVERNMENT

LEGISLATIVE SERVICE

GENERAL ASSEMBLY OF NORTH CAROLINA

DAILY BULLETIN

P. O. Box 1658 111 West Morgan St., Raleigh, N. C. Telephone 3-5515

BULLETIN NO. 28
Friday, February 13, 1953

Session: Senate -- 10:00 a.m.

PUBLIC BILLS INTRODUCED -- SENATE

SB 119 - Introduced by Bailey

"To provide for the issuance by the Department of Motor Vehicles of special registration plates to motor vehicle owners who operate amateur radio stations." [Provides for issuance of special motor vehicle registration plates to permanently licensed amateur radio operators upon payment of regular license fees (provided in G.S. 20-87) and additional $1.00 fee. In lieu of usual registration numbers, special plates are to be inscribed with official amateur radio call letters of applicant and must be replaced annually.] To Public Roads.

LOCAL BILLS INTRODUCED -- SENATE

SB 118 - (Wake) Introduced by Bailey

"To create the office of precinct policeman in precinct no. 28 Wake County and to prescribe his duties and to authorize the board of county commissioners of Wake County to establish speed and weight limits and parking rules and regulations within precinct no. 28." [Provides for precinct policeman to be appointed by county commissioners to hold office until successor is elected at next regular election of county officers. Successors are to be elected biennially thereafter and take office first Monday in Dec. following election. Precinct policeman is to be given same authority and receive same arrest and process execution fees as sheriff. County commissioners are to fill vacancies in office of precinct policeman for unexpired term, and to make rules and regulations indicated in title which must be published weekly for three successive weeks in newspaper of general circulation and posted for thirty days at courthouse and three other places within precinct.] To Counties, Cities and Towns.

SB 120 - (Lee) Introduced by Williams

"Relating to the procedure for letting public contracts applicable only to the board of education of Lee County." [Provides that no contracts for construction or repair work costing less than $20,000 shall be awarded by county board of education until approved by county commissioners.] To Judiciary 1.

SENATE CALENDAR ACTION

PUBLIC BILLS

SB 34 - Unfair trade practices. Passed second and third readings.
SB 35 - Joint obligation statute of limitations. Passed second and third readings.
SB 48 - Drunken driving presumptions. Re-referred to Judiciary 1.
SB 94 - Innocent purchasers from heirs. Reported favorably.
SR 103 - (Joint Resolution) Disapproving ICC power extension. Passed second and third readings.

HB 57 - Auditor facsimile signature. Reported favorably.
HB 74 - Adopting new G.S. Vol. III. Passed second reading.
HB 97 - Stockholder assent to charter amendment. Received from House; sent to Judiciary 2.
HB 112 - Burglary verdicts, as amended in House 2/2. Reported favorably.
HB 116 - Insurance payments to CSC. Reported favorably.
HB 164 - Extending civil defense program. Received from House; sent to Interstate and Federal Relations.

LOCAL BILLS

SB 55 - (Union) Monroe primary election, as amended in House 2/12. Received from House for concurrence in House amendment; concurred.

HB 56 - (Guilford) Jamestown charter amendment. Received from House; sent to Counties, Cities and Towns.
HB 128 - (Henderson) Hendersonville water commissioner appointment. Received from House; sent to Counties, Cities and Towns.
HB 129 - (Henderson) Postponing revaluation. Received from House; sent to Finance.
HB 160 - (Caswell) Prohibiting shows. Reported favorably.
HB 172 - (Catawba) Register of deeds pay. Received from House; sent to Counties, Cities and Towns.
HB 178 - (Robeson) Highway patrol headquarters site. Received from House; sent to Counties, Cities and Towns.
HB 179 - (Gaston) Bessemer City charter amendment. Received from House; sent to Counties, Cities and Towns.
HB 182 - (Davidson) Delinquent tax transfer. Received from House; sent to Counties, Cities and Towns.
HB 186 - (Transylvania) Unused schools for community centers. Received from House; sent to Education.
HB 190 - (Avery) Tax penalties and discounts. Received from House; sent to Counties, Cities and Towns.
HB 198 - (Rutherford) School gymnasium construction. Received from House; sent to Education.
HB 210 - (Columbus) Transferring auditor duties. Received from House; sent to Counties, Cities and Towns.
HB 213 - (Craven) Officials salaries and expenses. Received from House; sent to Salaries and Fees.
HB 214 - (Cleveland) Delinquent tax transfer. Received from House; sent to Counties, Cities and Towns.
HB 218 - (Nash) Aid to agricultural exhibits. Received from House; sent to Counties, Cities and Towns.

Next session of Senate: For consideration of local bills only, 9:30 a.m., Saturday, February 14, 1953.

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BULLETIN NO. 28
Friday, February 13, 1953

Session: House -- 10:00 a.m.

PUBLIC BILLS INTRODUCED -- HOUSE

HB 254 - Introduced by Goodman of Mecklenburg and others
"To amend the motor vehicle laws to provide for splash guards on trucks." [Amends G.S. 20-176 and adds G.S. 20-127.1 to require that all trucks with dual rear wheels or load capacity of 1 1/2 tons or over be equipped with rear fender splash guards to prevent splashing of mud or water on other motor vehicle windshields. Makes violation a misdemeanor punishable by fine of from $10 to $50 or imprisonment up to 30 days. Effective July 1, 1953.] To Roads and Highway Safety.

HB 255 - Introduced by Crissman and Shreve
"To amend Section 96 of Chapter 136 of the General Statutes of North Carolina, authorizing withdrawal of prior dedication by a tenant in common or a joint tenant." [G.S. 136-96 provides that property dedicated to public use but not opened to public use within twenty years of such dedication is conclusively presumed to have been abandoned by the public upon recording of declaration of withdrawal by dedicator, or those claiming under him, in register's office of county where such land lies. Bill amends G.S. 136-96 to provide that where fee simple title to such land is vested in joint tenants or tenants in common, any one of such tenants may execute and register declaration of withdrawal, and that the land may thereafter be partitioned only as between or among such tenants, irrespective of who is in actual possession.] To Judiciary 2.

HB 256 - Introduced by Womble of Forsyth
"Rewriting G.S. 1-401 relating to the authority of the clerk of superior court to hear and decide ex parte proceedings." [Amends G.S. 1-401 to provide that in-state, as well as out-of-state, petitioners may give written authorization to attorney to sign petition authorizing CSC to hear and decide ex parte proceeding, instead of signing such petition. Effective July 1, 1953.] To Judiciary 1.

HB 259 - Introduced by Pittman
"Amending G.S. 115-86 relating to the sale of surplus personal property by county boards of education." [Amends G.S. 115-86 to permit county board of education to sell surplus personal property at public sale after advertising sale for 10 days, as prescribed for selling property under chattel mortgage. Title does not pass until board approves sale, and if board feels bid is inadequate, it may reject bid and sell at private sale if for price higher than public bid.] To Education.

HB 261 - Introduced by Whitmire
"To amend Section 15-113 of the General Statutes of North Carolina so as to provide that in respect of a cash bond the defendant shall be charged with notice of entry of judgment nisi of its forfeiture and condemnation without requirement of the service on the defendant of a scire facias or other notice." [Amends G.S. 15-113 to provide that where defendant deposits cash bond, conditional judgment shall be entered forfeiting bond and defendant deemed charged with legal notice of judgment without issuance of formal notice by court. If at next term of court defendant fails to appear and give satisfactory excuse for original failure to appear, final judgment forfeiting bond will be entered.] To Judiciary 1.

HB 262 - Introduced by Clark of Lincoln and others
"To amend Section 2 and Section 28 of Article II of the Constitution of the State of North Carolina so as to provide for an annual session of the General Assembly." [Provides for submission to voters of state at general election in 1954 a constitutional amendment providing for annual sessions of the General Assembly. Amends Sec. 2, Article II to provide for first session to begin on first Wednesday after first Monday in January next after election of members, as presently provided,

and for second session to convene on third Wednesday in February of following year. Amends Sec. 28, Art. II, to provide that members shall be paid for no more than 90 days during the biennium, as at present, but that members shall not be paid for more than 60 days at either session.] To Constitutional Amendments.

HB 264 - Introduced by Pou and others

"To authorize issuance of bonds of the State to provide for erection and equipment of an archives and history building for the State of North Carolina." [Citing state historical heritage and responsibility of Department of Archives and History to collect, preserve, and display records of that heritage, appropriates $1,596,095 to Board of Public Buildings and Grounds for erection and equipment of archives and history building. Money is to be raised from issuance of bonds by State Treasurer, with consent of Governor and Council of State. Bonds are to be serial bonds payable semi-annually with interest not to exceed 4% and maturing in from three to 20 years, as approved by Governor and Council of State. Contains administrative provision covering form and denomination of bonds and coupons and sale of bonds by Treasurer. Authorizes Treasurer to borrow money and issue notes with consent of Governor and Council of State (1) for anticipating sale of bonds approved for issuance by Governor and Council of State, if Treasurer deems it advisable to postpone issuance; (2) for payment of principal and interest on outstanding bonds if insufficient funds are on hand for such payment; (3) for renewal of any loan evidenced by such notes. Makes matured bond coupons legal tender for payment of state obligations. Exempts bonds and notes from state and local taxation; authorizes investment in bonds and notes by fiduciaries; permits investment of bond proceeds until such time as proceeds required. Provides for segregation of bond proceeds and income and of appropriations for principal and interest into separate fund.] To Library.

HB 266 - Introduced by Worthington and Rodman

"Amending G.S. 140-5.3 relating to the authority of the North Carolina State Art Society." [Amends G.S. 140-5.3 to authorize state art society to exchange works of art acquired by the society for other works of art which, in opinion of board of directors, "would improve the quality, value or representative character of its art collection."] To Judiciary 1.

HB 267 - Introduced by Taylor of Warren

"To amend G.S. 1-310 relating to the return date of executions against property." [Amends G.S. 1-310 to make executions returnable to issuing court not more than 90 days from date of issue instead of not less than 40 nor more than 90 days from date of issue as at present.] To Judiciary 2.

HB 268 - Introduced by Winkler by request

"To provide for a referendum on the question of paying war service compensation to World War I, World War II, and the Korean conflict veterans of North Carolina." [Provides for referendum at next general election on ballots reading for and against "the payment of war service compensation." If majority approves, bond issue up to $165,000,000 is authorized to be sold at one time or from time to time by treasurer, with consent of Governor and Council of State. Veterans who served in armed forces from April 6, 1917 - Nov. 11, 1918; April 6, 1917 - Mar. 31, 1920 if in Russia; Dec. 7, 1941 - Aug. 14, 1945; and from June 25, 1950 until Korean action declared at end must file application with N. C. Veterans Commission on or before Mar. 15, 1955. Commission investigates and certifies eligibility to treasurer. Other eligibility requirements are that veteran: (1) must have been N. C. resident for at least one year prior to entering armed forces; (2) must have at least 90 days service during periods set out above; (3) must have been honorably discharged or discharged under honorable conditions; and (4) must not have been adjudged guilty of felony, or crime involving moral turpitude in any competent court. Compensation in lump sum is to be paid at rate of $12 per month for service in U. S., not to exceed $300, and $17 per month for service outside U.S., including Alaska, not to exceed $500. If eligible veteran is dead, payment goes to surviving spouse, or if spouse is dead or has remarried before Mar. 15, 1955, equally to children (natural, adopted, or stepchildren) of veteran. If veteran was killed in action or died of service connected disability, payment is $500 to persons above. If deceased veteran was unmarried, payment goes to parent or parents if alive. Provides following new taxes to retire bonds: (1) Amends Section 18-85.1 to make additional tax on sale of fortified wines $1.40 per gallon instead of 40 cents per gallon. (2) Amends G.S. 18-81 to add $1 per gallon additional tax on sale of unfortified wines, with revenue going entirely to retire bonds issued; adds additional taxes as follows: $31 per 31 gallon barrel of beer, ale and other brewed or fermented beverages with from 1/2% to 5% alcohol by weight, or equivalent tax on larger or smaller containers; 9 1/2 cents per bottle or other container of not over 12 oz; 24 cents per bottle or container of one quart or equivalent. All revenue goes to retire bonds. (3) Levies additional tax of 5% on retail price of spirituous distilled liquors sold, to be paid without regard to whether amount of this tax paid by county or municipal liquor stores exceeds 1/2 the net profits of such stores.] To Veterans Legislation.

LOCAL BILLS INTRODUCED -- HOUSE

HB 257 - (Davidson) Introduced by Philpott

"To amend Chapter 1258 of the Session Laws of 1949 relating to the issuance of warrants in criminal actions before the Davidson County Court." [Amends cited chapter to add lieutenants to list of police officials authorized to issue warrants and other criminal process, take affidavits, and receive bail in any action in Davidson County Court.] To Judiciary 2.

HB 258 - (Johnston) Introduced by Thomas and Coates

"To exempt certain volunteer firemen in Johnston County from jury duty." [Beginning July 1, 1953, empowers CSC of Johnston County to excuse from jury duty any volunteer fireman of towns of Four Oaks, Benson, Clayton, Kenly, Selma, Pine Level, Princeton, and Smithfield, whose name appears upon list of active municipal volunteer firemen in good standing with own fire department and N. C. Firemen's Association, to be submitted by each municipal fire chief on first day of Jan. and July each year.] To Courts and Judicial Districts.

HB 260 - (Burke) Introduced by Vernon

"To bar the collection of taxes in Burke County for the year 1930 and the years prior thereto and to authorize the county commissioners to dispose of the tax abstracts for such years." [Prohibits any action by Burke County to enforce legal remedy for collection of taxes or enforcement of tax liens with respect to such taxes for 1930 or any year prior thereto. Authorizes county commissioners to dispose of tax abstracts for such years which are no longer needed.] To Judiciary 2.

HB 263 - (Cherokee) Introduced by Mauney

"To fix certain items of costs or fees for justices of the peace in Cherokee County." [Sets out schedule of JP fees.] To Counties, Cities and Towns.

HB 265 - (New Hanover) Introduced by Hewlett

"Providing for the nomination and election of the mayor, commissioners and other elective officials of the town of Kure Beach, New Hanover County." [Rewrites Ch. 906, Sec. 12, 1947 Session Laws as amended, to provide for popularly elected municipal officials instead of for officials appointed by Governor. Requires: (1) that mayor and four commissioners be elected in accordance with general municipal election law on first Tuesday after first Monday in May, 1953, and biennially thereafter; (2) that candidates for these offices file with town election board on or before first day of April in an election year petition signed by minimum of five legal residents of town; (3) that person receiving highest vote be certified mayor and those receiving next four highest votes be certified commissioners, to be inducted on first Tuesday in July; and (4) that town officers are to appoint successor to fill any vacancy occurring in office of mayor or commissioner.] To Counties, Cities and Towns.

HOUSE CALENDAR ACTION

PUBLIC BILLS

SB 44 - Delegating county welfare board powers. Reconsidered votes by which bill passed second and third readings; re-referred to Public Welfare.

HB 113 - Creating future interests in personalty. Reported favorably.
HB 167 - Oyster dredge weight limits. Passed second and third readings.
HB 238 - Return of arrest warrants. Reported favorably as amended.

LOCAL BILLS

SB 13 - (Graham) Jailer fees. Received from Senate; sent to Local Government.
SB 50 - (Wake) Raleigh special assessment procedure. Passed third reading.
SB 92 - (Robeson) Prohibiting palmistry. Received from Senate; sent to Local Government.

HB 29 - (Rockingham) Fox hunting. Passed second and third readings.
HB 38 - (Rowan) Fox hunting. Passed second and third readings.
HB 41 - (Bertie) Bay rum prohibition exemption. Passed second and third readings.
HB 132 - (Wake) Holly Springs charter amendment. Passed third reading.
HB 169 - (Union) Extending Monroe limits. Passed third reading.
HB 191 - (Hyde) Increasing sheriff tax commission, as amended in Senate 2/12. Received from Senate for concurrence in Senate amendment; concurred.

Next session of House: For consideration of local bills only, 10:00 a.m., Saturday, February 14, 1953.

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INSTITUTE OF GOVERNMENT
Legislative Service

WEEKLY LEGISLATIVE SUMMARY

P. O. Box 1658 111 West Morgan St., Raleigh, N. C. February 14, 1953

NOTE: This is the fifth of a series of weekly summaries of the work of the North Carolina General Assembly of 1953. It is confined to discussions of matters of general interest and major importance.

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The big issue in Raleigh in 1953 (as in all recent years) is, or will be, money. After appropriations are determined and balanced with anticipated revenues, the big job is done. Virtual completion of appropriation committee hearings and the promise of Gov. Umstead's budget message in the next few days bring this legislative session to a crucial point. If legislators like his recommendations, quick solutions may be forthcoming. If not, or if his recommendations involve increased taxes, a battle may be in the offing.

Appropriations

The need for substantial new mental hospital and school building construction has become increasingly apparent with only state sanatoria and the State Art Society remaining to be heard by the joint appropriations committee. Uncomfortably aware that Advisory Budget Commission estimates of $390 million in revenues for 1953-55 seem very accurate, committee members have heard requests for $142 million over Budget Commission recommendations. These requests include $33 million for operational expenses and over $109 million for permanent improvements. Topping the list was the State Board of Education's bid for $60 million to equalize school facilities in the state and $16.5 million for operational expenses (including $2.5 million to finance the purchase of all school buses by the state and over $10 million for an additional 6% salary increase for teachers over and above the 10% recommended in the budget bill).

Meanwhile the Governor spiked rumors of separate legislation giving state employees the 10% retroactive pay increase immediately by requesting legislators to handle all appropriations in the biennial appropriations bill.

Finance

Against this background of more money needed, several newspapers on Friday published reports that the Governor would ask the General Assembly in its budget message for bond issues of approximately $88 million -- $50 million for public schools, $23 million for mental hospitals, and $15 million for state agencies and institutions. Only the latter issue could be approved by the legislators without a referendum. To finance these bonds, several million dollars would be required for the biennium, revenue that is not presently available. While the Governor may ask revision of sales tax exemptions to produce this revenue, such revisions are considered new taxes by many tax conscious legislators.

Currently more sentiment is to be found in legislation for tax reduction than for tax increase. SB 97 proposes that all surplus built up in the first year of the biennium be appropriated in the second, and that personal income taxes be reduced for the second year by the percentage that the surplus bears to appropriations. HB 232 would increase from $300 to $600 the exemption allowed taxpayers for each dependent other than husband and wife. It is estimated that this measure would reduce state revenues by $3,158,000 each year.

The only bill proposing to increase taxes was HB 242, which levies heavy additional taxes on wine, beer and liquor. These taxes were later incorporated into the long expected veterans' bonus bill to pay for a $165 million bond issue (subject to voter approval) which would provide a maximum of $500 to veterans of World Wars I and II and the Korean conflict. HB 264 asks a $1,596,000 bond issue for the construction of a State Archives and History Building.

Organization and Reorganization

The cry of "sail on" went up in the House as the reorganization of the Conservation and Development Board was explained as a "simple little bill" and, as in the Senate, passed by a unanimous vote. Highway division reorganization caused Senator Sanford to rise, not in opposition to the Governor's proposal to increase the divisions to 15 but in a valiant, though futile, effort to convince the Senate that the legislature rather than a five man committee should make the decision. The Senate did adopt an amendment to require the committee to make any changes by Nov. 1 of this year and passed the bill without a dissenting vote. A resolution calling for another commission, this one to study school laws and submit recommendations for changes, was introduced in the Senate.

General Assembly Organization and Procedure

The N. C. Constitution requires the General Assembly after each federal census to alter senatorial districts so that each shall contain "as near as may be, an equal number of inhabitants." HB 231 proposes a redistricting plan which would recognize population shifts and give the larger counties a proportionately greater number of senators (three counties would have two senators each). Although the principle of redistricting has strong support, growing favor is sensed in Raleigh for HB 18, which would amend the Constitution to limit any county to no more than one senator.

HB 262 would amend the Constitution to provide for annual legislative sessions. Annual budgets using annual revenue estimates and an opportunity for legislators to study more thoroughly complicated legislation are strong arguments for this proposal.

Highway Safety

Sponsored by the Departments of Insurance and Motor Vehicles, SB 105 rewrites the present driver financial responsibility law to require each operator or owner of a motor vehicle involved in an accident to deposit security with the Commissioner of Motor Vehicles in an amount sufficient to satisfy probable judgments arising from the accident unless he is covered by insurance, released from liability, adjudicated not liable, or bound by written agreement to pay in installments or otherwise. Failure to deposit the security fixed by the Commissioner (up to $11,000) results in suspension of driver licenses. Proponents of the bill estimate that the percentage of insured motorists in N. C. would increase from about 35% to 90% under the proposed law. Two new House bills would (1) provide mandatory license suspensions for drivers convicted of speeding over 65 mph, and (2) require trucks with dual rear wheels or 1 1/2 ton capacity and up to be equipped with rear fender splash guards.

Local Government

Small towns without street departments are finding it difficult to spend Powell Bill funds efficiently. Two bills this week would have the work done by the SH&PWC. HB 215 directs the department on request to perform repairs in towns under 1500 to the extent of Powell Bill credit; HB 251 requires the department to perform all street work in towns under 1000 to the extent of credit and according to the town's repair requests. A third bill, HB 225, would permit county commissioners to postpone quadrennial revaluation of real property for 1953 and 1954.

Miscellaneous

The Department of Conservation and Development sponsored two bills amplifying its authority to safeguard woodlands from fire, disease and insects ... still another bill regulates logging to preserve pine seed trees ... SB 104, retaliating for similar laws in a neighboring state, requires prohibitive license fees of any person hiring workers in N. C. for out of state employment ... Senators have postponed further action after a hearing in which the DAR advocated and lawyers and professors opposed SR 166 (repealing past General Assembly resolutions endorsing world government) ... SB 22 and 23, eliminating statutory and constitutional barriers to garnishment of debtors' wages, were turned over to a Senate subcommittee after heated arguments by merchants, labor and employer groups in open hearings.

INSTITUTE OF GOVERNMENT

LEGISLATIVE SERVICE

GENERAL ASSEMBLY OF NORTH CAROLINA

DAILY BULLETIN

P. O. Box 1658 **111 West Morgan St., Raleigh, N. C.** **Telephone 3-5515**

BULLETIN NO. 29
Monday, February 16, 1953

NOTE
The Senate convened at 9:30 a.m., Saturday, February 14, to consider local bills only. No bills were introduced; calendar action taken is included in this bulletin.

Session: Senate -- 8:00 p.m.

PUBLIC BILLS INTRODUCED -- SENATE

SR 121 - (Joint Resolution) Introduced by Whitfield

"Providing for the appointment of a commission by the Governor for the purpose of making an investigation and study of the problem of locating a marketing center for the State and providing methods of financing the same." [Authorizes and requests Governor to appoint seven member N. C. Marketing Commission to make recommendations to 1955 General Assembly on locating and financing a marketing center providing better marketing facilities for sale of fruits, vegetables and other farm products.] To Agriculture.

SB 124 - Introduced by Whitley and others

"To appropriate a sum of money to establish and maintain a program of instruction in motor vehicle driver training and safety education in the public schools of North Carolina." [Citing need for trained young drivers, provides for non-credit courses in driver training and safety education in public schools under supervision of superintendent of public instruction. To effectuate program, appropriates $339,720 per year 1953-55 biennium to be added to appropriation for support of 9-month's term and to be apportioned by state board of education as follows: (1) $9,720 for salaries and expenses necessary to administer program, and (2) $330,000 for teachers' salaries and equipment.] To Education.

LOCAL BILLS INTRODUCED -- SENATE

SB 122 - (Randolph) Introduced by Ross

"To amend the charter of the Town of Staley, in Randolph County." [Repeals Ch. 386, 1901 Private Laws as amended to rewrite town charter. Bill defines corporate limits, grants usual corporate powers under general law, deletes obsolete provisions and provides: (1) that officers consist of mayor, five commissioners, and such other officers as commissioners may elect or appoint; (2) that present mayor and commissioners serve until Tuesday after first Monday in May 1953 on which date, and bienially thereafter, successors are to be elected.] To Counties, Cities and Towns.

SB 123 - (Johnston) Introduced by Whitley

"To amend Chapter 219 of the Private Laws of 1911, relating to the charter of the town of Smithfield, in Johnston County." [Sec. 42 of cited chapter provides for appointment by board of commissioners of a clerk, treasurer, tax collector, chief of police and one or more assistants to hold office during term of commissioners subject to removal for misbehavior or neglect. This bill strikes cited section and in lieu provides that police department is to be under supervision of commissioner of police designated by mayor from board of town commissioners. At first meeting of town board after election commissioner of police is to recommend list of persons from which town board may appoint chief of police. Chief of police is to recommend list of persons from which board may appoint captain of police. Commissioner of police and chief are to submit list from which board may appoint other police department employees. Police commissioner and chief are to have joint authority to suspend policemen and fill vacancies, subject to approval by town board.] To Counties, ~~Cities~~ and Towns.

SENATE CALENDAR ACTION

PUBLIC BILLS

SB 94 - Innocent purchasers from heirs. Passed second and third readings.

HB 57 - Auditor facsimile signature. Passed second and third readings.
HB 74 - Adopting new G.S. Vol. III. Passed third reading.
HB 112 - Burglary verdicts, as amended in House 2/2. Passed second and third readings.
HB 116 - Insurance payments to CSC. Passed second and third readings.
HB 167 - Oyster dredge weight limits. Received from House; sent to Courts and Judicial Districts, 2/14.
HB 174 - Governor's emergency war powers, as amended in House 2/11. Received from House; sent to Judiciary 2, 2/14.
HB 202 - G.S. ratification and codification, as amended in House 2/11. Received from House; sent to Judiciary 1, 2/14.

LOCAL BILLS

HB 29 - (Rockingham) Fox hunting. Received from House; sent to Wildlife, 2/14.
HB 38 - (Rowan) Fox hunting. Received from House; sent to Wildlife, 2/14.
HB 41 - (Bertie) Bay rum prohibition exemption. Received from House; sent to Propositions and Grievances, 2/14.
HB 48 - (Gaston) Authorizing surplus expenditure, as amended in House 2/12. Received from House; sent to Counties, Cities and Towns, 2/14.
HB 95 - (Caswell) JP warrants and receipts, as amended in House 2/5. Reported favorably.
HB 132 - (Wake) Holly Springs charter amendment. Received from House; sent to Counties, Cities and Towns, 2/14.
HB 160 - (Caswell) Prohibiting shows. Passed second and third readings.
HB 161 - (Duplin) Reward for capturing whiskey stills, as amended in House 2/12. Received from House; sent to Counties, Cities and Towns, 2/14.
HB 169 - (Union) Extending Monroe limits. Received from House; sent to Counties, Cities and Towns, 2/14.
HB 208 - (Caldwell) Lenoir school trustees election, as amended in House 2/12. Received from House; sent to Education, 2/14.

Next session of Senate: 12 noon, Tuesday, February 17, 1953.

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BULLETIN NO. 29
Monday, February 16, 1953

NOTE

The House convened at 10:00 a.m., Saturday, February 14, to consider local bills only. No calendar action was taken; bills introduced are included in this bulletin.

Session: House -- 8:00 p.m.

PUBLIC BILLS INTRODUCED -- HOUSE

HB 280 - Introduced by Regan

"To authorize the county commissioners of each county in this state to fix the salaries or other compensation of all elective and appointive county officials and employees drawing compensation from said counties." [Effective July 1, 1953, authorizes county commissioners to fix number of employees for each county office and salaries and compensation of all county officials and employees to be paid from general county fund. Salaries and compensation now paid under legislative act can not be reduced before term of office of present officer or employee expires, and no increase or reduction over 20% can be made per fiscal year for other officers or employees. Bill does not apply to employees under N.C. Merit System Council.] To Local Government.

HR 287 - (Joint Resolution) Introduced by Fisher of Transylvania and McKinney

"Honoring the life and memory of James C. Bowman, a former member of the General Assembly of North Carolina." [As title indicates.] Passed three readings and sent to Senate.

LOCAL BILLS INTRODUCED -- HOUSE

HB 269 - (Wake) Introduced by Pou, Womble and Whitley, 2/14

"To permit the board of commissioners of Wake County to make appropriations for building water lines from the corporate limits of municipalities to communities in the county." [Authorizes commissioners to appropriate $85,000 to extend water and sewer lines from municipality limits to Wake County communities to promote public health and industrial operations.] To Judiciary 2.

HB 270 - (Wake) Introduced by Pou, Womble and Whitley, 2/14

"To permit the Wake County Tuberculosis Sanitorium to set up a board of managers as provided by the General Statutes of the State." [Repeals Ch. 1037, 1951 Session Laws, which amended G.S. 131-31 as it applied to Wake County, and makes Wake County subject to G.S. 131-31, which provides for election, term of office, and compensation of board of managers for county tuberculosis sanatoria.] To Counties, Cities and Towns.

HB 271 - (Wake) Introduced by Pou, Whitley and Womble, 2/14

"To amend G.S. 7-111 (Volume 1) relating to the discontinuance of domestic relations courts and providing for a transfer of cases and property." [Amends cited section as it applies to Wake County to provide that when a joint city-county domestic relations court is discontinued and a county domestic relations court is established under provisions of G.S. Ch. 7, all cases pending in city-county court are to be immediately transferred to county court which has jurisdiction over all judgments and other orders of city-county court. Makes it duty of clerk of county court to carry out transfer including all records of city-county court.] To Judiciary 2.

HB 272 - (Wake) Introduced by Pou, Whitley and Womble, 2/14

"To regulate the salaries of certain public officers of Wake County." [Effective July 1, 1953, fixes annual salaries of following county officials as indicated: sheriff, register of deeds, treasurer and auditor, $6500 each; CSC, $7500; coroner, $3300. Fixes salary of each county commissioner at $50 per month plus $12 for each commissioners or regular committee meeting in excess of two per month.] To Counties, Cities and Towns.

HB 273 - (Avery and Mitchell) Introduced by Harmon and McKinney, 2/14

"Relating to fox hunting in Avery and Mitchell Counties." [Removes Avery and Mitchell Counties from effect of Ch. 1040, 1951 Session Laws which made it unlawful to poison, trap or kill red foxes in several counties.] To Wildlife Resources.

HB 274 - (Pender) Introduced by Murphy

"To extend the jurisdiction of police officers of the town of Burgaw in Pender County to an area extending two miles beyond the corporate limits of said town." [Authority indicated in title is granted to town policemen while in hot pursuit of persons violating criminal laws in town's corporate limits.] To Counties, Cities and Towns.

HB 275 - (Columbus) Introduced by Floyd

"To create a bird sanctuary in the town of Tabor City." [Makes it misdemeanor, punishable by up to $50 fine or 30 days imprisonment, to kill, trap or take any bird inside town corporate limits except English sparrows, great horned owls, Cooper's hawks, sharp-shinned hawks, crows, starlings, pigeons, and domesticated fowls.] To Wildlife Resources.

HB 276 - (Granville) Introduced by Allen

"To authorize the governing authority of the town of Oxford to sell the present city hall and the site or lot on which the said city hall is now located." [As title indicates; sale may be public (after notice set by governing body) or private as governing body deems best. Authorizes town to accept deferred payments and to secure deferred payments by first mortgage or deed of trust.] To Counties, Cities and Towns.

HB 277 - (Granville) Introduced by Allen

"To authorize the governing authority of the town of Oxford to employ a solicitor to prosecute cases in the mayor's court." [As title indicates; governing board may fix duties, term of office, and compensation and may dismiss for sufficient cause. Provides for fee of $2.50 to be collected in all criminal cases and paid into special fund from which all compensation for solicitor must be paid.] To Counties, Cities and Towns.

HB 278 - (Jones) Introduced by Hargett

"To ratify the execution of a long-term lease by the county board of education of Jones County to the State of North Carolina." [Ratifies board action on Jan. 23, 1953, in executing 99-year lease to State for lot to be used by Department of Motor Vehicles for radio and communication purposes.] To Education.

HB 279 - (Davidson) Introduced by Philpott

"To amend Chapter 22 of the Private Laws of North Carolina of 1935, relative to the powers of the Lexington utility commission." [Amends cited act, which established the utility commission, to provide that provisions of act do not limit powers of city under Revenue Bond Act of 1938, as amended, and that actions taken under Bond Act by city shall be binding on commission.] To Local Government.

HB 281 - (Rowan) Introduced by Barnett and Uzzell

"To amend Chapter 856 of the Session Laws of 1951, extending the time for making the quadrennial revaluation and reassessment of real property in Rowan County." [Rewrites cited act to permit county commissioners to postpone quadrennial revaluation until any year up to and including 1956.] To Judiciary 2.

HB 282 - (Alleghany) Introduced by Doughton

"Relating to the salary of certain clerical assistance in the office of the sheriff, tax collector, and treasurer of Alleghany County." [Amends Sec. 1, Ch. 730, 1943 Session Laws to raise salary of the clerk for office of sheriff, tax collector and treasurer from $75 per month to $1800 per year, after repealing Ch. 805, 1949 Session Laws, which raised clerk's salary from $75 to $100 per month.] To Counties, Cities and Towns.

HB 283 - (Cumberland) Introduced by O'Hanlon and Fisher

"To amend G.S. 14-335 relating to public drunkenness so as to make said section applicable to Cumberland County." [Adds Cumberland to counties listed in G.S. 14-335, which provides that any person found drunk or intoxicated on the public highway or at any public place or meeting anywhere within listed counties is guilty of misdemeanor and subject to fine up to $50 or imprisonment up to 30 days.] To Judiciary 2.

HB 284 - (Harnett) Introduced by Gregory

"To exempt certain volunteer firemen in the Town of Dunn from jury duty." [Beginning July 1, 1953, empowers Harnett CSC to excuse from jury duty any town volunteer fireman whose name appears on list of active municipal volunteer firemen in good standing with own fire department and N.C. Firemen's Association submitted by Dunn fire chief on first day of Jan. and July of each year.] To Judiciary 2.

HB 285 - (Bertie) Introduced by Speight

"To permit the hunting of bears in Bertie County under certain conditions without an accompanying game warden." [Permits taking and killing of bears in Bertie County without an accompanying game warden in any community (1) where crops or livestock are damaged by bears, or (2) where it is known that bears are present creating trouble or alarm.] To Wildlife Resources.

HB 286 - (Bertie) Introduced by Speight

"To reactivate municipal government in the town of Bertie in Bertie County, North Carolina, and to provide for elections in said numicipality." [Appoints Gilbert Rhodes as mayor, and George Rhodes, Russel Davis, P. M. Ferebee, L. L. Craig, and Frank Adams as town commissioners, to serve until successors are elected and qualified. Amends charter to provide five commissioners instead of three. Provides for non-partisan municipal election on first Tuesday after first Monday in May (or earlier date selected by board) and biennially thereafter, and permits any qualified voter of town to become candidate by filing written notice of candidacy and $2 filing fee with town clerk (or other officer designated by board) not less than ten days prior to election date. Fees become part of town current expense fund. Board is to (1) appoint election registrar and judges, (2) determine registration period, (3) fix number and location of polling places, (4) fix time polls are to remain open, and (5) post notice of election provisions 30 days prior to election date at four public places in town and at county courthouse. Provides that except as expressly provided, general laws governing municipal elections will apply.] To Local Government

HOUSE CALENDAR ACTION

PUBLIC BILLS

SB 15 - Drunken driving penalties (Senate committee substitute 2/6), as amended in Senate 2/10 and 2/11. Received from Senate; sent to Judiciary 1.
SB 34 - Unfair trade practices. Received from Senate; sent to Judiciary 2.
SB 35 - Joint obligation statute of limitations. Received from Senate; sent to Judiciary 1.
SB 88 - Increasing highway divisions, as amended in Senate 2/11. Received from Senate; sent to Roads and Highway Safety.
SR 103 - (Joint Resolution) Disapproving ICC power extension. Received from Senate; sent to Public Utilities.

HB 113 - Creating future interests in personalty. Passed second and third readings.
HB 238 - Return of arrest warrants. Amended to make warrants of JP's returnable before other magistrates and courts inferior to superior court having jurisdiction within county (instead of any court in county with jurisdiction). Passed second and third readings.
HB 287 - Memorializing Bowman. Passed three readings.

LOCAL BILLS

None.

Next session of House: 12 noon, Tuesday, February 17, 1953.

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INSTITUTE OF GOVERNMENT

LEGISLATIVE SERVICE

GENERAL ASSEMBLY OF NORTH CAROLINA

DAILY BULLETIN

P. O. Box 1658 111 West Morgan St., Raleigh, N. C. Telephone 3-5515

BULLETIN NO. 30
Tuesday, February 17, 1953

Session: Senate -- 12 noon

PUBLIC BILLS INTRODUCED -- SENATE

SB 126 - Introduced by Graves

"Rewriting G.S. 1-308 relating to the issuance of executions on a judgment." [Rewrites G.S. 1-308 to make clear that execution against property of judgment debtor may not issue from the superior court to any county in which the judgment is not docketed.] To Judiciary 1.

SB 128 - Introduced by Bailey

"To appropriate funds to reimburse the city of Raleigh for services rendered the state of North Carolina and its agencies in and around the city of Raleigh." [Citing state property valuation in excess of $84 million in Raleigh and uncompensated services rendered by city in providing police and fire protection and garbage collection for state agencies, appropriates $60,000 annually from General Fund to be paid in equal monthly installments to Raleigh during 1953-55 biennium.] To Appropriations.

SB 130 - Introduced by Weaver

"To amend G.S. 53-2, relating to the incorporation of banks." [Amends subsection (4) of G.S. 53-2, which sets out procedure for incorporation of banks, to require that certificates of incorporation include amount of authorized capital stock, number of shares into which it is divided, and par value of each share instead of amount of capital stock which must be divided into shares of $10, $20, $25, $50 or $100 each as at present.] To Banks and Currency.

SB 131 - Introduced by Larkins and others

"To fix the compensation and expense allowance of superior court solicitors." [Effective Jan. 1, 1953, amends G.S. 7-44 to increase solicitor's salary from $6500 to $7150 per year and to increase solicitor's expense allowance from $1500 to $1650 per year.] To Appropriations.

SB 132 - Introduced by Larkins and others

"To fix the compensation and expense allowance of superior court judges." [Effective Jan. 1, 1953, rewrites G.S. 7-42 to increase annual salary of each superior court judge from $10,000 to $12,000. Retains provision for $2500 as allowance in lieu of travel and subsistence expenses.] To Appropriations.

SB 133 - Introduced by Larkins and others

"To amend Section 7-51 of the General Statutes (Cumulative Supplement of 1951) relating to the compensation of emergency judges for holding regular terms of court." [Amends G.S. 7-51 to increase compensation of each emergency superior court judge from $50 to $100 for each week of regular term of court held, in addition to actual expenses.] To Appropriations.

SB 134 - Introduced by Larkins and others

"To amend Section 7-50 of the General Statutes (Cumulative Supplement of 1951) relating to the compensation of emergency judges for special terms of court." [Amends G.S. 7-50 to increase emergency judge's compensation from actual expenses and $50 to actual expenses and $100 for each week of special term of court held.] To Appropriations.

SB 135 - Introduced by Larkins and others

"To fix the compensation of the Chief Justice and Associate Justices of the Supreme Court." [Effective January 1, 1953, rewrites G.S. 7-3 to provide that chief justice's salary is to be $16,500 per year and to raise associate justices' salaries from $14,400 to $16,000 per year.] To Appropriations.

SB 136 - Introduced by Larkins

"Amending G.S. 120-39 so as to allow furniture and fixtures to be removed from the halls of the General Assembly between sessions of the legislature, under the direction of the board of public buildings and grounds." [As title indicates.] To Judiciary 1.

LOCAL BILLS INTRODUCED -- SENATE

SB 125 - (Forsyth) Introduced by Graves

"To provide a schedule of discounts for prepayment of taxes in Forsyth County and the City of Winston-Salem." [Amends G.S. 105-345 to provide that tax discounts allowed in 1953 shall be 2% in Aug., 1% in Sept., and 1/2 of 1% in Oct.; in 1954 and subsequent years, 2% in Aug. and 1% in Sept.] To Counties, Cities and Towns.

SB 127 - (Bladen) Introduced by Bridger

"To amend Chapter 66 of the Private Laws of 1903 being the charter of the town of Bladenboro relating to the number of commissioners." [Amends Sec. 3 of cited chapter to provide for 5 commissioners instead of 3. Rewrites Sec. 5 to provide that at election on first Monday in May, 1953, and biennially thereafter, mayor and five commissioners are to be elected under laws governing municipal elections.] To Counties, Cities and Towns.

SB 129 - (Wake) Introduced by Bailey

"To amend Sub-chapter VII of Chapter 7 of the General Statutes relating to general county courts as applied to Wake County." [Amends Art. 30 of Ch. 7 of General Statutes, relating to establishment, organization and jurisdiction of general county courts, insofar as it relates to any such court which may be established in Wake County as follows: (1) Amends G.S. 7-271 to fix salary of judge at $10,000 per year instead of providing for salary to be fixed by county commissioners; (2) amends G.S. 7-271 to provide that Wendell recorder is to serve as judge of county court (when created) for 4-year term with successor to be selected as now provided by law; (3) amends G.S. 7-273 to provide that solicitor of Middle Creek Township recorder's court is to serve as prosecutor of county court (when created) for 4-year term at salary of $8,000 per year with successor to be selected as now provided by law; and (4) adds subsection (b) to G.S. 7-279 to provide that civil jurisdiction of a general county court must not exceed $5,000.] To Courts and Judicial Districts.

SENATE CALENDAR ACTION

PUBLIC BILLS

SB 19 - Speeding and reckless driving penalties (Senate committee substitute 2/12). Reported favorably as to committee substitute.
SB 27 - Instruments securing future advances. Reported unfavorably.
SB 30 - Garnishing safe deposit boxes. Reported unfavorably.
SB 99 - Defining wild boar. Reported favorably.
SB 110 - Authorizing officers retirement fund investments. Reported favorably.

HB 113 - Creating future interests in personalty. Received from House; sent to Judiciary 1.
HB 202 - G.S. ratification and codification, as amended in House 2/11. Reported favorably.
HR 287 - (Joint Resolution) Memorializing Bowman. Received from House; placed on calendar; passed second and third readings.

LOCAL BILLS

SB 100 - (Graham) Prohibiting Cheoah trot lines. Reported favorably.
SB 111 - (Edgecombe) Validating jailer fees. Reported favorably as to committee substitute.
SB 113 - (Sampson) Extending Salemburg limits. Reported favorably.
SB 118 - (Wake) Precinct 28 police and regulation. Reported favorably.
SB 122 - (Randolph) Rewriting Staley charter. Reported favorably.

HB 48 - (Gaston) Authorizing surplus expenditure, as amended in House 2/12. Reported favorably.
HB 95 - (Caswell) JP warrants and receipts, as amended in House 2/5. Received from House; placed on calendar; amended to make bill applicable to Madison County; passed second and third readings.
HB 128 - (Henderson) Hendersonville water commissioner appointment. Reported favorably.
HB 132 - (Wake) Holly Springs charter amendment. Reported favorably.
HB 169 - (Union) Extending Monroe limits. Reported favorably.
HB 178 - (Robeson) Highway patrol headquarters site. Reported favorably.
HB 179 - (Gaston) Bessemer City charter amendment. Reported favorably.
HB 182 - (Davidson) Delinquent tax transfer. Reported favorably.
HB 190 - (Avery) Tax penalties and discounts. Reported favorably.
HB 210 - (Columbus) Transferring auditor duties. Reported favorably.
HB 214 - (Cleveland) Delinquent tax transfer. Reported favorably.

BILLS RATIFIED

SB 39 - Reducing executor's renunciation period, as amended in House 2/11.
SB 50 - (Wake) Raleigh special assessment procedure.
SB 52 - Confederate Woman's Home admissions.
SB 55 - (Union) Monroe primary election, as amended in House 2/12.
SB 59 - Population estimate as official census.
SB 63 - (Catawba) Hickory court solicitor and clerk, as amended in Senate 2/6.
SB 64 - Appointing conservation and development board.
SB 80 - (Cumberland) Transferring ABC funds for tax revaluation.
SB 81 - Highway 87 jurisdiction in Fort Bragg.
SB 89 - Conveying state property to YMCA.

HB 31 - (Wayne) Delinquent tax collection fund transfer.
HB 35 - (Johnston) Four Oaks charter revision, as amended in Senate 2/6.
HB 57 - Auditor facsimile signature.

HB 65 - (Davidson) Lexington gas distribution control.
HB 67 - (Robeson) Tax prepayment discounts, as amended in House 1/29.
HB 70 - (Martin) Oak City charter amendment.
HB 76 - (Nash) Aiding charitable organizations, as amended in House 2/5.
HB 79 - (Columbus) County commissioners election (House committee substitute 2/4).
HB 82 - (New Hanover) Electing mayor.
HB 94 - (Mitchell) Postponing revaluation.
HB 111 - (Montgomery) Star corporate limits (House committee substitute 2/4).
HB 115 - (Lenoir) Municipal-county court salaries.
HB 117 - (Lenoir) Drawing jurors.
HB 118 - (Lenoir) Rural fire protection.
HB 121 - (Johnston) Raising sheriff's office allocation.
HB 125 - (Columbus) Tabor City commissioner election.
HB 137 - (Catawba) Validating Longview street closing.
HB 142 - Judicial Council membership.
HB 149 - (Cumberland) Coroner salary.
HB 150 - (Cumberland) Rural police salaries.
HB 151 - (Cumberland) Assistant solicitor salary.
HB 156 - (Burke) Volunteer firemen poll tax exemption.
HB 157 - (Forsyth) School treasurer selection.
HB 158 - (Forsyth) Winston-Salem elections.
HB 166 - (New Hanover) Authorizing commissioners to fix fees.
HB 171 - (Catawba) Prohibiting dog damage payments.
HB 183 - (Davidson) Register of deeds and CSC salaries.
HB 191 - (Hyde) Increasing sheriff tax commission, as amended in Senate 2/12.

Next session of Senate: 12 noon, Wednesday, February 18, 1953.

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BULLETIN NO. 30
Tuesday, February 17, 1953

Session: House -- 12 noon

PUBLIC BILLS INTRODUCED -- HOUSE

HB 288 - Introduced by Mauney by request
"To authorize sinking funds of the state to be invested in bonds of the International Bank for Reconstruction and Development." [Amends G.S. 142-34, which lists securities in which state sinking funds must be invested, to add bonds of International Bank for Reconstruction and Development to securities listed.] To Finance.

HB 289 - Introduced by Venters and others
"To amend Chapter 90-15 with respect to the fees to be paid for the issuance of licenses to practice medicine." [Amends G.S. 90-15 to (1) permit State Board of Medical Examiners to fix within stated limits, fees to be paid by applicants for examination or for license without examination as follows: (a) examination application, up to $50 (existing flat fee, $15); (b) application for examination in two halves, up to $25 per half (existing flat fee, $7.50 per half); and (c) license without examination, up to $100 (existing flat fee, $50); and (2) change flat statutory fees as follows: (a) limited license under G.S. 90-12, from $15 to $50; (b) duplicate license, from $5 to $10. Adds fee of $10 for limited license to practice within confines of hospital for purpose of education or training.] To Health.

HB 292 - Introduced by Branch
"Relating to the revocation of letters of administration." [Rewrites G.S. 28-32 to add provision that CSC may revoke letters of administration for cause when administrator can not be found in county of last known address and CSC's order to show cause is so endorsed by sheriff of that county.] To Judiciary 2.

HB 293 - Introduced by Pou, Whitley, and Womble of Wake
"To appropriate funds to reimburse the City of Raleigh for services rendered the State of North Carolina and its agencies in and around the City of Raleigh." [Identical with SB 128, digested in the Senate section of today's bulletin.] To Appropriations.

HB 296 - Introduced by Etheridge
"To provide for North Carolina's participation in the celebration of the first airplane flight." [Citing 50th anniversary of first airplane flight and national and world celebration of event, authorizes Governor to appoint nine member commission to promote celebration. Authorizes commission to acquire title to land in vicinity of Kill Devil Hill National Memorial in name of State, by gift, purchase, or other lawful means, to be held in trust for conveyance to U. S. for national park purposes, to be added to Kill Devil Hill National Monument. Reserves concurrent jurisdiction for state for law enforcement and civil process purposes. Commission may accept gifts made in any manner of property or money, with money to be kept by State Treasurer in special account, to be expended only for purposes of this bill. Commission ceases to exist Mar. 31, 1955.] To Education.

HB 302 - Introduced by Holmes
"To amend Sections 105-147 and 105-148 of the General Statutes to permit the deduction of commutation expenses in computing taxable net income." [As title indicates.] To Finance.

LOCAL BILLS INTRODUCED -- HOUSE

HB 290 - (Onslow) Introduced by Venters by request
"To authorize the desk officer or desk sergeant in the Jacksonville police office to issue warrants." [Gives same power as JP to any desk officer or sergeant

while on such duty in town police headquarters to issue arrest warrants, to be returnable before a JP or Onslow County recorder court judge. Issuing officer can not serve warrant and issuance fee goes to town.] To Counties, Cities and Towns.

HB 291 - (Halifax) Introduced by Branch

"To validate the official acts of J. G. Butts, a justice of the peace in Halifax County." [As title indicates, acts performed under color of office after April 1, 1951 and before April 12, 1951 are validated. Does not apply to pending litigation.] To Judiciary 2.

HB 294 - (Dare) Introduced by Etheridge

"To exempt Dare County from the provisions of Chapter 1096 of the Session Laws of 1951 relating to the sale of bay rum." [Ch. 1096 prohibits sale of bay rum other than to pharmacies, licensed barbers, or on doctors' prescriptions. Bill adds Dare to counties exempted from Act.] To Propositions and Grievances.

HB 295 - (Dare) Introduced by Etheridge

"To authorize the board of county commissioners, in its discretion, to cause an election to be held in Hatteras and Kennakeet Townships in Dare County, for the purpose of determining whether or not beer and/or wine should be sold in said townships." [As title indicates; law on such elections contained in G.S. Ch. 18 applies, except no petition is necessary.] To Propositions and Grievances.

HB 297 - (Person) Introduced by Satterfield

"To amend Chapter 328 of the Session Laws of 1951, relating to the salaries of certain officials in Person County." [Amends cited chapter to raise salaries of (1) sheriff, from $4,000 to $4,500; (2) two full time deputy sheriffs, to total amount, determined by commissioners, not to exceed $6,000 per annum instead of $4,500 per annum (salary of deputies for period from Jan. 1 to June 30, 1953, to be based on annual total payment of $5,400); (3) CSC, from $4,500 to $5,000; (4) register of deeds, from $4,000 to $4,500; and (5) assistant to CSC and assistant to register of deeds to amount fixed by commissioners not to exceed $200 instead of $150 per month.] To Local Government.

HB 298 - (Alamance) Introduced by Long

"To authorize revaluation of all property in Alamance County in the year 1954 or in the year 1955." [Authorizes county commissioners to revalue and reassess all property in county in either 1954 or 1955 in same manner as provided for regular quadrennial revaluation, without disturbing quadrennial revaluation schedule, whether or not revaluation is carried out in regular revaluation year (1953).] To Local Government.

HB 299 - (Alamance) Introduced by Long

"To authorize the board of county commissioners of Alamance County to deed and convey Alamance Battleground property to North Carolina for a State Park." [Authorizes commissioners to transfer and convey all parts of Alamance Battleground now owned or subsequently acquired by county to state upon such terms (with or without monetary consideration) as commissioners deem proper, on condition that state begin development of state park within two years of date of conveyance.] To Conservation and Development.

HB 300 - (Wake) Introduced by Whitley, Womble and Pou

"To amend Sub-chapter VII of Chapter 7 of the General Statutes relating to general county courts as applied to Wake County." [Identical with SB 129, digested in Senate section of today's bulletin.] To Judiciary 2.

HB 301 - (Edgecombe, Nash, Pitt, Wilson) Introduced by Worthington and others

"Creating the Eastern Carolina Airport Authority as an agency or instrumentality of the Counties of Edgecombe, Nash, Pitt and Wilson, and of the Cities of Greenville, Rocky Mount, and Wilson, and of the Town of Tarboro, and authorizing such authority to establish, own, maintain and operate an airport at the expense of said counties and said municipalities." [Creates Eastern Carolina Airport Authority as corporation, as political subdivision for purposes of Airport Zoning Act of 1941, and as agency of counties and municipalities named in title. Each county and municipality is to appoint one member (not to be considered a public officer) to Authority. Each member including chairman (elected by members) has one vote, and chairman votes second time to break tie. Authority is authorized to acquire title to land (declared to be for public purpose), including use of eminent domain (extended to cover cemeteries),for airport located as nearly as practicable equidistant from the four municipalities, and to build and operate airport. Each county pays 12 1/2%, Greenville 11%, Rocky Mount 18%, Wilson 15%, and Tarboro 6% of costs, from any funds except ad valorem tax receipts. Municipalities and counties may issue bonds subject to Municipal Finance Act and County Finance Act respectively, to pay shares, and bond purpose is declared special purpose. Authority has powers to do usual acts in building and operating an airport, and to make reasonable rules and regulations for safety zoning, but cannot pledge credit of any county or municipality. If dissolved, all units get return on proceeds in proportion to original contributions.] To Judiciary 2.

HOUSE CALENDAR ACTION

PUBLIC BILLS

SB 33 - Proving service in civil actions. Reported favorably.
SB 34 - Unfair trade practices. Reported favorably.
SB 94 - Innocent purchasers from heirs. Received from Senate; sent to Judiciary 1.

HB 62 - Securing tobacco hogsheads (House committee substitute 2/11). Postponed to 2/18.
HB 204 - Michie supplements prima facie law. Reported favorably.

LOCAL BILLS

HB 257 - (Davidson) County court police warrants. Reported favorably.
HB 260 - (Burke) Prohibiting pre-1931 tax collection. Reported favorably.
HB 269 - (Wake) County water and sewer lines. Reported favorably.
HB 271 - (Wake) Domestic relations court. Reported favorably.
HB 281 - (Rowan) Postponing revaluation. Reported favorably.
HB 283 - (Cumberland) Public drunkenness. Reported favorably.
HB 284 - (Harnett) Dunn volunteer firemen jury exemption. Reported favorably.

Next session of House: 12 noon, Wednesday, February 18, 1953.

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INSTITUTE OF GOVERNMENT

LEGISLATIVE SERVICE

GENERAL ASSEMBLY OF NORTH CAROLINA

DAILY BULLETIN

P. O. Box 1658 111 West Morgan St., Raleigh, N. C. Telephone 3-5515

BULLETIN NO. 31
Wednesday, February 18, 1953

Session: Senate -- 12 noon

PUBLIC BILLS INTRODUCED -- SENATE

SB 137 - Introduced by Barnhardt

"To amend G. S. 8-50 and G. S. 1-568.25 relating to the examination of adverse parties during trial." [Amends G. S. 8-50, relating to competency of parties as witnesses, by adding: (1) that party calling adverse party as witness is allowed to cross-examine and contradict him in same manner as any other witness but may not impeach his credibility except by showing, after proper foundation, prior inconsistent statements; (2) that G.S. 8-50 applies to officers and agents of corporate party. Amends G. S. 1-568.25 by striking provision that introduction of deposition of adverse person into evidence has effect of making adverse person the witness of introducer. Permits cross-examination and contradiction of adverse party whose deposition has been introduced when adverse party or corporate officer or agent testifies in own behalf or corporation's behalf, but party introducing deposition may not impeach except by showing prior inconsistent statements after foundation laid.] To Judiciary 1.

SB 138 - Introduced by Barnhardt

"To amend G. S. 31-42 relating to the devolution of devises to persons predeceasing a testator." [Clarifies language of G. S. 31-42, relating to devolution of real property where devisee predeceases testator, to make section conform with language of G. S. 31-42.1 relating to devolution of personal property.] To Judiciary 1.

SB 140 - Introduced by Whitfield

"To make unlawful the formation and maintenance of, and membership in secret political societies, secret military societies and secret societies for resisting and circumventing the law: To regulate secret societies; to regulate the wearing of masks and disguises; to regulate the burning of crosses and use of certain exhibits; and to prevent the intimidation of citizens." [Citing public policy to guarantee all persons equal protection of lives and property, defines (1) "secret society" as any two or more persons associated for any common purpose who use grips, signs or passwords, use disguises as part of ritual or to advance their purposes, take extra-judicial or secret oaths, or transact business at secret meetings, (2) "secret political society" as any secret society which has for a purpose the hindering or aiding the success of any political party or candidate for public office, interference with or support of state policy, or resisting or enforcement of state laws and constitution, and (3) "secret military society" as secret societies which meet with members armed or with purpose to use armed force or which muster, drill or practice any military evolutions. Makes it unlawful for any person (1) to apply for membership in, to join, organize or encourage or assist any secret political or military society or secret society having for a purpose resisting or circumventing state laws, (2) to use or assist in using signs, grips, passwords, or any disguise and to take or administer oaths to further secret political and military purposes or any purpose resisting or circumventing state laws, and (3) to permit any secret society with such purposes to meet upon property controlled by him. All secret societies (organized or to be organized in state) must provide for a regular meeting place of each unit in some building and must place a sign on immediate exterior of building (or of meeting room within building not controlled by society) bearing names of society, unit, and officer or member (kept up to date) who has names and addresses of society members. All meetings must be held at regular meeting place unless notice of time and place of special meeting is published for at least 5 days prior thereto and sign is displayed at special meeting containing information required above. When declared by majority of Council of State to be in public interest that names and addresses of a secret society be publicly known, Attorney General or agent is to demand complete list of names and address of members of society and statement of its purposes. No person over 16 years of age, while wearing a mask or disguise to conceal identity, shall (1) enter any lane, walkway, alley, street, highway or other public way, (2) demand entrance or enter premises or house of any other person, (3) hold any meeting upon private property of another unless with prior written permission recorded with register of deeds; and no person, while wearing a mask or disguise to conceal identity, shall (1) enter upon any public property or (2) place or cause to be placed at any location in state any exhibit of any kind; except provisions do not apply to persons (a) wearing traditional holiday costumes in season, (b) wearing masks for safety in occupation or trade, (c) using masks in theatrical productions (including Mardi Gras celebration and masquerade balls), and (d) wearing gas masks in civil defense exercises. Makes it unlawful (1) to place or caused to be placed any burning cross, real or simulated, on property of another without written permission or (2) to commit or cause any act (while masked or unmasked) with intention of intimidating any person or preventing him from doing lawful act or causing him to commit unlawful act. Violations of act are misdemeanors punishable by fine or imprisonment in discretion of court. Contains separability clause.] To Propositions and Grievances.

SB 141 - Introduced by Crew and Weeks

"To repeal G. S. 103-3 relating to the time of execution of summons, capias, and other process." [Effective July 1, 1953, as title indicates. G. S. 103-3, enacted in 1777, makes it unlawful to execute process on Sunday unless for treason, felony or misdemeanor.] To Judiciary 2.

SB 142 - Introduced by Proctor

"To amend G. S. 90-124 relating to the revocation and regrant of certificates of registration for the practice of optometry." [Amends G. S. 90-124 to add that State Board of Examiners in Optometry may revoke certificate of registration upon the finding by Board that certificate holder has violated any provision of G. S. Ch. 90, Art. 6 or of any rule or regulation adopted pursuant thereto.] To Judiciary 1.

SB 143 - Introduced by Duncan

"To require persons fishing in designated mountain trout waters to have purchased a special trout license." [Citing as purpose that cost of maintaining hatchery and stocking program for trout streams be borne by those directly benefited, adds G. S. 113-143.1 to provide that persons fishing state-stocked trout streams (designated public mountain trout waters) must purchase special license to be kept about the person when fishing designated waters. License is to cost $1.10; 10¢ for use of license issuing agent, and $1.00 for use of Wildlife Resources Commission for propogation, protection and management of mountain trout. Effective Jan. 1, 1954.] To Wildlife.

SB 144 - Introduced by McIntyre and others

"To amend G. S. 105-147 so as to adopt the federal rule for depletion allowances for income tax purposes in the case of certain mines, sulphur deposits, gas and oil wells, and natural deposits." [Amends G. S. 105-147 (8) to add that deductions from net income for depletion of mines, natural deposits, and oil and gas wells are to be a certain per cent (fixed by attached schedule and varying from 10% to 27 1/2%) of gross income of such property during taxable year. Excluded from such gross income is amount equal to rents or royalties paid or incurred by taxpayer in respect to such property. Depletion allowance is not to exceed 50% of taxpayer's net income (computed without allowance for depletion) from such property, but is not to be less than it would be if computed without reference to provisions in this amendment. Federal rules and regulations are applicable in interpreting and applying scheduled depletion allowances. With respect to acts and transactions covered by present revenue laws occuring prior to July 1, 1953, and criminal or civil liabilities arising from such acts and transactions prior to July 1, 1953, the present revenue laws continue in effect not withstanding any repeal express or implied from this amendment. Effective July 1, 1953.] To Conservation and Development.

SB 146 - Introduced by Sanford and others

"To extend to veterans of the Korean conflict and their dependents and next of kin all privileges and benefits now provided by law to veterans of World War I and World War II and their dependents and next of kin." [As title indicates. "Veterans of the Korean conflict" are persons serving in armed forces of U. S. from June 27, 1950 to date to be determined by President or Congress.] To Veterans and Military Affairs.

LOCAL BILLS INTRODUCED -- SENATE

SB 139 - (Gaston) Introduced by Rankin

"To amend G. S. 7-64 to make the same applicable to Gaston County." [G. S. 7-64 confers concurrent original jurisdiction on superior court with inferior courts in criminal actions, such jurisdiction to be exercised by court first taking cognizance thereof. This bill strikes "Gaston" from list of counties exempted from application of G. S. 7-64.] To Counties, Cities and Towns.

SB 145 - (Madison) Introduced by Edney

"Relating to the establishment of special school taxing units for the purpose of authorizing the issuance of school bonds and to levy taxes within such special taxing units for the payment of said bonds, by amending Chapter 279 of the Public Local Laws of 1937 and making said act applicable to Madison County." [As title indicates. Ch. 279, 1937 Public-Local Laws, provides that county board of education may create school districts after public hearings petitioned for by 10% of voters in proposed district. County commissioners may issue school bonds or notes for a district, payable from special ad valorem taxes levied in that district (and also, in discretion of county commissioners, from county funds), after approval of such issuance by majority of votes cast in special bond election in that district. The bonds, registerable, and bearing annual interest not in excess of 6%, are to mature serially beginning not more than three years from date of issuance and ending within thirty years from date of issuance. County may pay any indebtedness incurred by any of its governing bodies, for benefit of school district and repay any money borrowed by any of its governing bodies for school purposes from N. C. Literary Fund or special state building funds, exclusively from taxes levied in district benefited or from county funds. Act contains administrative provisions as to bond election and approval of bond issue by Local Government Commission.] To Finance.

SENATE CALENDAR ACTION

PUBLIC BILLS

SB 19 - Speeding and reckless driving penalties (Senate subcommittee substitute 2/12) New committee substitute adopted; committee substitute changes penalty for conviction of first violation of G.S. 20-140 or G.S. 20-140.1 (reckless driving statutes) by deleting provision for minimum $50 fine and providing for fine in discretion of court; postponed to 2/19.

SB 96 - Deleting vehicle piston displacement law. Reported favorably.
SB 99 - Defining wild boar. Passed second and third readings.
SB 110 - Authorizing officers retirement fund investments. Passed second and third readings.

HB 87 - Welfare certification services. Reported favorably.
HB 97 - Stockholder assent to charter amendment. Reported favorably.
HB 148 - Defining relatives for military benefits. Reported favorably.
HB 202 - G.S. ratification and codification, as amended in House 2/11. Passed second and third readings.
HB 238 - Return of arrest warrants, as amended in House 2/16. Received from House; sent to Courts and Judicial Districts.

LOCAL BILLS

SB 100 - (Graham) Prohibiting Cheoah trot lines. Passed second and third readings.
SB 111 - (Edgecombe) Validating jailer fees. Committee substitute adopted; committee substitute empowers Edgecombe county commissioners to fix amount to be paid sheriff for feeding prisoners up to $1 per day for each prisoner and deletes provision of original bill exempting county from G.S. 153-180 (which sets jailer's fees for feeding each prisoner at up to 50¢ per day and up to 75¢ per day in commissioners' discretion); passed second and third readings.
SB 113 - (Sampson) Extending Salemburg limits. Passed second reading.
SB 116 - (Halifax) Roanoke Rapids inspection fees. Reported favorably.
SB 118 - (Wake) Precinct 28 police and regulation. Passed second and third readings.
SB 122 - (Randolph) Rewriting Staley charter. Passed second reading.

HB 25 - (Pamlico) Revaluation bond issue. Reported favorably.
HB 45 - (New Hanover) Carolina Beach referendum, as amended in House 2/5. Reported favorably.
HB 48 - (Gaston) Authorizing surplus expenditure, as amended in House 2/12. Passed second and third readings.
HB 103 - (Duplin) Amending Calypso charter, as amended in House 2/6. Reported favorably.
HB 122 - (Pender) Veterans service officer levy increase. Reported favorably.
HB 128 - (Henderson) Hendersonville water commissioner appointment, Passed second and third readings.
HB 129 - (Henderson) Postponing revaluation. Reported unfavorably.
HB 131 - (Person) Adopting state rabies law. Reported favorably.
HB 132 - (Wake) Holly Springs charter amendment. Passed second reading.
HB 159 - (Caswell) Prohibiting palmistry. Reported favorably as amended.
HB 161 - (Duplin) Reward for capturing whiskey stills, as amended in House 2/12. Reported favorably as amended.
HB 169 - (Union) Extending Monroe limits. Passed second reading.
HB 178 - (Robeson) Highway patrol headquarters site. Passed second and third readings.
HB 179 - (Gaston) Bessemer City charter amendment. Passed second and third readings.
HB 182 - (Davidson) Delinquent tax transfer. Passed second and third readings.
HB 190 - (Avery) Tax penalties and discounts. Passed second and third readings.
HB 210 - (Columbus) Transferring auditor duties. Passed second and third readings.
HB 214 - (Cleveland) Delinquent tax transfer. Passed second and third readings.

Next session of Senate: 12 noon, Thursday, February 19, 1953.

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BULLETIN NO. 31
Wednesday, February 18, 1953

Session: House -- 12 noon

PUBLIC BILLS INTRODUCED -- HOUSE

HB 303 - Introduced by Hewlett

"To amend G.S. 148-27 relating to the age for commitment of women prisoners." [Amends cited section to reduce from 18 to 16 years the age which a woman prisoner must have attained before she may be assigned to work under supervision of SH&PWC. Effective July 1, 1953.] To Penal Institutions.

HB 304 - Introduced by Hewlett

"To amend G.S. 14-269 relating to the disposition of confiscated weapons." [Amends cited section to direct presiding judge to turn over to CSC for destruction all weapons seized thereunder and to keep a certified record of such weapons destroyed. Section now directs sale of confiscated firearms and permits return of same to owner on order of presiding judge. Effective July 1, 1953.] To Judiciary 1.

HB 306 - Introduced by Hewlett and others

"To make unlawful the formation and maintenance of, and membership in secret political societies, secret military societies and secret societies for resisting and circumventing the law: To regulate secret societies; to regulate the burning of crosses and the use of certain exhibits; and to prevent the intimidation of citizens." [Identical with SB 140, digested in Senate section of today's bulletin.] To Judiciary 1.

HB 307 - Introduced by Doughton and others

"To fix the compensation and expense allowance of superior court judges." [Identical with SB 132, digested in Senate section of Bulletin No. 30.] To Appropriations.

HB 308 - Introduced by Doughton and others

"To fix the compensation of the chief justice and associate justices of the Supreme Court." [Identical with SB 135, digested in Senate section of Bulletin No. 30.] To Appropriations.

HB 309 - Introduced by Falls

"To amend G.S. 105-147 relating to deductions of contributions of gifts by individuals for income tax purposes." [Effective July 1, 1953, but not with respect to acts or transactions occurring prior thereto or to liabilities incurred or which should have been incurred with respect to any such acts or transactions prior thereto, raises from 10% to 20% of net income the maximum amount of gifts and contributions deductible by an individual in computing taxable income.] To Finance.

HB 312 - Introduced by Womble of Forsyth and others

"Amending G.S. 1-305 relating to the clerk of the superior court issuing executions on judgments." [Rewrites first two sentences of G.S. 1-305 to specify that CSC need not issue execution until fee is paid.] To Judiciary 1.

HB 313 - Introduced by Womble of Forsyth and others

"To amend G.S. 2-42 relating to cross-indexing of criminal cases." [Amends cited section to eliminate requirement for CSC to cross-index criminal judgments in name of State.] To Judiciary 1.

HB 314 - Introduced by Womble of Forsyth and others

"To amend G.S. 108-30.1 relating to cross-indexing of old age assistance liens." [Amends cited section to specify that such liens are to be indexed in name of assistance recipient on defendant side of cross-index to civil judgments, and that no cross-index is required in name of county.] To Judiciary 1.

HB 317 - Introduced by Taylor of Warren

"To provide for service upon nonresident drivers of motor vehicles and upon the personal representatives of deceased nonresident drivers of motor vehicles." [Amends G.S. 1-105, which provides for service of process upon nonresident motor vehicle operators driving on N. C. highways, to provide for such service upon executor or administrator of such person in event of his death. Where defendant refuses to accept registered letter, deems service complete on date of refusal as noted on envelope by postal authorities or on date of return to plaintiff or commissioner of motor vehicles if date of refusal cannot be determined, and directs plaintiff to include original envelope containing notation of defendant's refusal to accept with affidavit of compliance with provisions of section in filing summons, complaint and other papers in cause.] To Judiciary 2.

HB 319 - Introduced by Taylor of Buncombe

"To amend G.S. 9-28 so as to require grand juries to inspect and report on the condition of the public school buildings in this state." [As title indicates; visits, and reports on school buildings are to be made only once each six months in each calendar year.] To Education.

HB 326 - Introduced by Long

"To establish a tax appeals commission, fix its jurisdiction and provide for the appointment of the commissioners thereof." [Repeals G.S. 105-163, which permits appeal to Wake superior court on Commissioner of Revenue rulings. Provides for establishing three member tax appeals commission, containing at least one licensed attorney and one certified public accountant, to adjudicate questions of liability for state taxes (except employment security) and to hear appeals from county boards of equalization and review and state board of assessments; appropriates $75,000 per year of 1953-1955 biennium for administration of act. Effective July 1, 1953 authorizes Governor to appoint commissioners for six year staggered terms (initial appointments for two, four, and six years), designate a chairman, fix salaries subject to Advisory Budget Commission approval, and remove any commissioner for inefficiency, neglect of duty, or malfeasance in office, after notice and opportunity to be heard. Commissioners receive actual expenses for travel on commission business. Commission may employ necessary clerical assistance. Board of public buildings and grounds is to furnish office space. Authorizes commission to establish procedural rules governing hearings, but provides (1) only certified public accountants and attorneys authorized to practice before N. C. Supreme Court may practice before commission; (2) commission hearings must be public; (3) commissioner of revenue and taxpayer must be given notice and opportunity to be heard in any proceeding before commission; and (4) hearings may be held throughout state by single commissioner, but no decision may be rendered unless approved by at least 2 commissioners. Taxpayer need not pay tax to pursue remedies granted herein, and if such remedies are elected, no measure may be taken to collect tax until commission judgment is rendered. Permits any taxpayer aggrieved by tax payment required or assessment levied to appeal to commission, before or after resorting to administrative remedies before state agency charged with collection of tax involved, by filing petition with commission and mailing copy to agency or individual charged with collection of tax within thirty days of final administrative determination or date on which assessment is received or disputed payment made. Provides that mailing, by registered mail, of any pleading, decision, order, notice or process is sufficient service thereof. Directs commission to fix time and place of hearing and to notify in writing all parties concerned. Hearings upon such petitions are de novo with burden of proof on taxpayer, except in cases of fraud. Permits (1) appeals to commission from decisions or orders of state board of assessment involving either original assessments or appeals from county boards of equalization and review in same manner as appeals may now be taken from state board of assessment to superior court and (2) appeals directly to commission from county boards of equalization and review in same manner as such appeals may now be taken to state board of assessment. Either party to proceeding may appeal to superior court of county in which taxpayer resides by filing notice of appeal with commission within ten days after commission decision. Appeals must be heard on record; findings of fact by commission are conclusive if supported by "any evidence". If no appeal is taken within ten days, commission decision will be docketed in superior court of county where taxpayer resides and constitute judgment upon which execution may issue. Commission may affirm, reverse, or modify in whole or in part determination from which appeal is taken, and may order refunds, in whole or in part, of tax paid. Requires decisions in writing with publication thereof unless commission decides otherwise in any particular case. Commission may require up to $15 fee whenever petition is filed for redetermination of any tax payable or paid, such fee to be paid into general fund. Witnesses must be paid by party who calls them, except that witnesses called by commission are paid fees fixed by commission from appropriations made to Revenue Department or other tax-collecting agency. Authorizes any commissioner to subpoena witnesses, books and records. Permits commission to cite to Wake superior court any party who refuses to obey commission subpoenas and orders, or answer questions, or is guilty of disorderly, insolent, contemptuous or contumacious conduct in presence of any commissioner; and requires the court to punish persons so cited as for contempt. Remedies provided are in addition to and not in lieu of remedies now provided by law, and do not affect acts or transactions occurring, or liabilities incurred or which should have been incurred, prior to effective date of bill, July 1, 1953.] To Judiciary 1.

HB 327 - Introduced by Whitmire

"To permit the state to accept, with the approval of the court, a plea of guilty of first degree murder, first degree burglary, arson or rape, when tendered by a person charged with such crime and represented by counsel, with the effect of a jury verdict of guilty of such crime with recommendation of imprisonment for life in the state's prison." [As title indicates; plea must be in writing, and if rejected, trial is on plea of not guilty, with no legal significance attached to rejected plea. Until plea is accepted, defendant may withdraw it, and no reference may be made in open court, nor use made in evidence at any time of tendering of plea.] To Judiciary 1.

LOCAL BILLS INTRODUCED -- HOUSE

HB 305 - (New Hanover) Introduced by Hewlett

"To amend Section 160-59, General Statutes of North Carolina, so as to exclude the City of Wilmington." [G.S. 160-59 permits public auction after 30 days notice of any town property. Bill makes section inapplicable to Wilmington, and authorizes governing body to sell at private sale town property not required for municipal purposes on terms deemed in best interests of town citizens.] To Counties, Cities and Towns.

HB 310 - (Moore) Introduced by Blue

"To provide for the reopening of certain public high schools in Moore County." [On joint request of county education board and governing board of high schools in county closed or consolidated because average daily attendance fell below minimum prescribed by law or regulation of State Board of Education, if average attendance at time of closing or consolidation was 55 pupils, State Board is required to reopen the school and furnish funds for operation without regard to minimum daily attendance provisions.] To Education.

HB 311 - (Moore) Introduced by Blue

"To amend G.S. 9-19 to exempt members of voluntary fire companies from jury duty in Moore County." [On certification by secretary of volunteer fire companies to county jury commission of list of active members, such members residing in county are exempt from jury service. List may be filed at any time after ratification of act, and must be filed in January of each year thereafter showing active members as of Jan. 1 of that year.] To Judiciary 2.

HB 315 - (Columbus) Introduced by Floyd
"To fix certain fees for the sheriff and his deputies and the constables in Columbus County." [Sets out detailed fee schedule applying to sheriff, deputies, and constables.] To Counties, Cities and Towns.

HB 316 - (Dare) Introduced by Etheridge
"To incorporate the Town of Kill Devil Hills in Dare County." [Incorporates Kill Devil Hills, setting out boundary lines. County commissioners are to appoint town officers at first regular meeting following ratification of act, to consist of mayor, three commissioners, and treasurer. Officers serve until June 1, 1955. Successors are to be elected on Tuesday after first Monday in May, 1955, and biennially thereafter. Any part of town previously included in Dare Beaches Sanitary District remains part of district. Ch. 160, relating to cities and towns, incorporated into bill unless inconsistent with bill.] To Local Government.

HB 318 - (Hertford) Introduced by Maddrey
"To authorize the sheriff of Hertford County to appoint three deputy sheriffs and to provide for the salaries to be paid said deputy sheriffs." [Authorizes sheriff to appoint three deputies, subject to county commissioners' approval, who shall devote such time to duty as sheriff requires. Commissioners are to set salaries at not less than $50 nor over $125 per month.] To Local Government.

HB 320 - (Sampson) Introduced by Vann
"To amend the charter of the Town of Garland in Sampson County relating to the rate of taxation in said town of Garland." [All references to taxation in Garland charter (Ch. 44, 1907 Private Laws) are deleted, and power is granted to board of commissioners to levy ad valorem tax provided for now or in future by general law, plus additional levy on property sufficient to pay interest and principal due on town obligations. (Present general law provides for maximum ad valorem tax of $1.50 per $100 valuation. Present charter tax provision authorizes tax of 50¢ per $100 valuation, and $1.50 on the polls.)] To Finance.

HB 321 - (Randolph) Introduced by Gavin
"To extend the time for making the quadrennial revaluation and reassessment of real property in Randolph County." [Authorizes county commissioners to postpone revaluation of realty until 1954 or 1955 in their discretion.] To Local Government.

HB 322 - (Rockingham) Introduced by Powell
"To authorize the city council of Reidsville to employ an assistant recorder in the event of illness of the recorder and to employ an assistant prosecuting attorney in the event of the illness of the regular prosecuting attorney." [Amends Sections 1 and 2 of Ch. 460, 1947 Session Laws, to authorize city council to pay (1) assistant recorder monthly salary (not to exceed recorder's salary) up to 6 months per year in event of illness of recorder and (2) assistant prosecuting attorney monthly salary (not to exceed prosecutor's salary) up to 6 months per year in event of illness or prosecutor.] To Local Government.

HB 323 - (Rockingham) Introduced by Powell
"To empower any administrative school unit in Rockingham County to dispose of personal property not exceeding $500 in value, by private sale." [Empowers governing authority of any administrative school unit in county to sell any personal property not exceeding $500 in value by private sale. Any such governing authority may delegate power to make such sale to county or city superintendent of schools (as case may be), director of purchase and contract, or other designated employee. After every such sale employee or person making sale must report promptly to governing authority authorizing sale.] To Education.

HB 324 - (Granville) Introduced by Allen
"To give authority to the police officers of Oxford, Granville County, to pursue and arrest persons charged with the commission of crime in said town beyond its borders." [Authorizes any Oxford police officer, with or without process, to pursue beyond city limits and to any point within Granville County any person, whether or not in sight, who is charged with a crime committed in Oxford in presence of pursuing officer. Authorizes arrests of such persons anywhere within county.] To Local Government.

HB 325 - (Granville) Introduced by Allen
"To amend Chapter 72 of the Public Local Laws of 1941 relating to the drawing of jurors in Granville County." [Amends Sec. 3 of cited chapter to increase the number of scrolls to be drawn from jury box for first week of February and July terms of superior court from 33 to 48 and for second week of February term and each week of any other term from 24 to 30.] To Judiciary 1.

HOUSE CALENDAR ACTION

PUBLIC BILLS

SB 33 - Proving service in civil actions. Passed second and third readings.
SB 34 - Unfair trade practices. Passed second reading.
SB 44 - Delegating county welfare board powers. Reported favorably as amended.
SB 88 - Increasing highway divisions, as amended in Senate 2/11. Reported favorably.

HB 6 - Repealing old age assistance liens. Reported unfavorably.
HB 44 - Bulb growers farmer license plates. Reported favorably.
HB 62 - Securing tobacco hogsheads (House committee substitute 2/11). Passed second and third readings.
HB 99 - Rewording hit and run statute. Reported favorably as amended.
HB 199 - County commissioner personnel determination. Withdrawn from Counties, Cities and Towns; re-referred to Local Government.
HB 201 - County commissioner salary fixing. Withdrawn from Counties, Cities and Towns; re-referred to Local Government.
HB 204 - Michie supplements prima facie law. Passed second and third readings.
HB 259 - Education board surplus property sale. Reported favorably.

LOCAL BILLS

SB 13 - (Graham) Jailer fees. Reported favorably.
SB 62 - (Davidson) Thomasville councilman pay. Reported favorably.
SB 79 - (Franklin) Changing school district bond act. Reported favorably.
SB 93 - (Catawba) Hickory property sale payment. Reported favorably.

HB 95 - (Caswell and Madison) JP warrants and receipts, as amended in House 2/5 and in Senate 2/17. Received from Senate for concurrence in Senate amendment; concurred.
HB 155 - (Burke) Tax discounts and penalties. Reported favorably.
HB 187 - (Rutherford) Reconveyance of school land. Reported favorably.
HB 229 - (Mecklenburg) Davidson tax prepayment discounts. Reported favorably.
HB 230 - (Cumberland) Transferring ABC funds for annex. Reported favorably.
HB 234 - (Iredell) Mooresville recorder residence. Reported favorably.
HB 241 - (Chowan) Delinquent tax transfer. Reported favorably.
HB 243 - (Moore) Register fees. Reported favorably.
HB 244 - (Moore) Clerks fees. Reported favorably.
HB 245 - (Granville) Creedmoor charter amendment. Reported favorably.
HB 247 - (Franklin) Recorder court jurisdiction. Reported favorably.
HB 249 - (Montgomery) Mount Gilead water system. Reported favorably.

HB 257 - (Davidson) County court police warrants. Passed second and third readings.
HB 260 - (Burke) Prohibiting pre-1931 tax collection. Passed second and third readings.
HB 263 - (Cherokee) JP fees. Reported favorably.
HB 265 - (New Hanover) Kure Beach officials election. Reported favorably.
HB 269 - (Wake) County water and sewer lines. Passed second and third readings.
HB 270 - (Wake) TB sanatorium managers. Reported favorably.
HB 271 - (Wake) Domestic relations court. Amended to correct printing error in printed bill; passed second and third readings.
HB 272 - (Wake) Officials salaries. Reported favorably.
HB 274 - (Pender) Burgaw police jurisdiction extension. Reported favorably.
HB 276 - (Granville) Oxford city hall sale. Reported favorably.
HB 277 - (Granville) Oxford mayor court solicitor. Reported favorably.
HB 278 - (Jones) Validating education board lease. Reported favorably.
HB 279 - (Davidson) Lexington utilities commission finances. Reported favorably.
HB 281 - (Rowan) Postponing revaluation. Passed second and third readings.
HB 282 - (Alleghany) Clerk salary. Reported favorably.
HB 283 - (Cumberland) Public drunkenness. Passed second and third readings.
HB 284 - (Harnett) Dunn volunteer firemen jury exemption. Passed second and third readings.
HB 286 - (Bertie) Reactivating town of Bertie. Reported favorably.
HB 290 - (Onslow) Jacksonville police desk warrants. Reported favorably.
HB 297 - (Person) Officials salaries. Reported favorably.
HB 298 - (Alamance) Authorizing off-year revaluation. Reported favorably.

BILLS RATIFIED

HB 74 - Adopting new G.S. Vol. III.
HB 112 - Burglary verdicts, as amended in House 2/2.
HB 116 - Insurance payments to CSC.
HB 160 - (Caswell) Prohibiting shows.
HR 287 - (Joint Resolution) Memorializing Bowman.

Next session of House: 12 noon, Thursday, February 19, 1953.

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INSTITUTE OF GOVERNMENT

LEGISLATIVE SERVICE

GENERAL ASSEMBLY OF NORTH CAROLINA

DAILY BULLETIN

P. O. Box 1658 111 West Morgan St., Raleigh, N. C. Telephone 3-5515

BULLETIN NO. 32
Thursday, February 19, 1953

Session: Senate -- 12 noon

PUBLIC BILLS INTRODUCED -- SENATE

SB 147 - Introduced by Proctor

"To amend G. S. 30-15 and G.S. 30-17, relating to allowances to widows and children in the settlement of estates." [Amends G.S. 30-15 to increase widow's allowance (exempt from lien, by judgment or execution, acquired against husband's property) for a year's support from $500 to $750 and amends G. S. 30-17 to increase child's allowance (exempt from judgment or execution against property of deceased parent) from $150 to $250.] To Judiciary 1.

SB 157 - Introduced by Copeland

"Amending G.S. 1-173 relating to the term of court at which issues of fact in civil actions may be tried and defining the word 'term'." [G.S. 1-173 (relating to civil procedure) provides that issues of fact joined on pleadings and inquiries ordered to be tried by jury, must be tried at next term of court, if issue was joined or order made more than 10 days before such term, but if not, they may be tried at second term after joinder of order; except uncontested cases in which no answer is filed may be tried at any term after time for filing answers has expired. This bill defines 'term' as used in G.S. 1-173 as each calendar week of a term, where it is for more than 1 week.] To Judiciary 1.

SB 161 - Introduced by Shuford

"To amend G.S. 105-147(9) so as to increase from ten (10%) per centum of net income to twenty (20%) per centum of gross income the deduction allowed for gifts to charities." [Amends G.S. 105-147(9) to increase income tax deduction allowed for gifts by individuals to organizations operated exclusively for religious, charitable, literary, scientific, or educational purposes from 10% of net income to 20% of gross income.] To Finance.

LOCAL BILLS INTRODUCED -- SENATE

SB 148 - (McDowell) Introduced by Proctor

"To give the county criminal court of McDowell County concurrent jurisdiction over offenses within the jurisdiction of a mayor or justice of the peace." [Confers concurrent jurisdiction on county criminal court over all offenses within jurisdiction of a mayor or justice of peace, within or without corporate limits of any municipality. Authorizes transfer of any criminal action instituted in mayor's court to county criminal court. In all cases tried in county court where offense is within jurisdiction of JP or mayor, costs to be paid by persons convicted or pleading guilty or nolo contendere are to be computed according to costs charged by JP or mayor.] To Courts and Judicial Districts.

SB 149 - (McDowell) Introduced by Proctor

"To transfer certain assets to the general fund of McDowell County." [Provides that all taxes due county for one or more years, together with penalties and costs accrued, are to be paid into county general fund when collected.] To Counties, Cities and Towns.

SB 150 - (McDowell) Introduced by Proctor

"To authorize the towns of Marion and Old Fort, in McDowell County, to sell at private sale lands acquired under tax foreclosure proceedings." [As title indicates.] To Counties, Cities and Towns.

SB 151 - (McDowell) Introduced by Proctor

"To remove McDowell County from the application of G.S. 105-422." [G.S. 105-422 provides that no county or municipality can maintain an action to collect taxes or enforce tax liens unless such action is instituted within 10 years after taxes become due. This bill amends G.S. 105-422 so that section does not apply to McDowell County.] To Counties, Cities and Towns.

SB 152 - (McDowell) Introduced by Proctor

"To transfer the volumes of colonial records, state records and roster of North Carolina regiments to the McDowell County public library." [Transfers published colonial and state records from office of superior court clerk or other public office to county public library.] To Education.

SB 153 - (McDowell) Introduced by Proctor

"To create the office of jailer in McDowell County and provide for the operation of the jail under the supervision of the board of county commissioners." [Effective first Monday in December, 1954, creates office of jailer under supervision of county commissioners, but sheriff is to retain power and authority over custody and control of prisoners. Commissioners are to appoint some suitable county resident as jailer annually on first Monday in December and fix salary of jailer and necessary assistants to be employed by commissioners. Jailer may be removed from office for misconduct or when found not suitable. All food for prisoners and necessary equipment are to be purchased by county commissioners. Sheriff may appoint jailer as deputy but without additional compensation. All fees collected are to be paid into general fund.] To Counties, Cities and Towns.

SB 154 - (McDowell) Introduced by Proctor

"To prescribe and regulate the compensation of certain officials in McDowell County." [Effective July 1, 1953, fixes maximum and minimum annual salaries to be fixed by county commissioners for superior court clerk at $3,600 to $4,800 (includes pay for services as juvenile judge and clerk of county criminal court) and register of deeds at $2,400 to $3,600 (includes pay for services as county treasurer and clerk to county commissioners). Fixes annual salary of sheriff at $1,200 (plus 7¢ per mile for travel outside county). At end of present sheriff's term of office, sheriff is to receive commissions (in addition to salary) as tax collector of from 1% to 2%, as determined by county commissioners, on taxes collected. After first Monday in December, 1954, authorizes commissioners to advance sheriff tax commissions up to $300 per month until he receives tax list for collection for tax year next succeeding induction into office. Authorizes commissioners to fix number and salaries of assistants to be appointed by CSC, register and sheriff. Fixes pay of chairman of county commissioners at $100 per month and members at $10 per day for attending meetings. Fixes allowances for travel to and from meetings for chairmen and members of board of commissioners and board of education at 7¢ per mile.] To Counties, Cities and Towns.

SB 155 - (Gaston) Introduced by Rankin

"To amend Chapter 14, Private Laws of 1927, relating to Gastonia Graded School District." [Effective April 1, 1953, amends cited law to change time of day when registration books for school board election are to be open from between 7:00 a.m. and 7:00 p.m. to between 9:00 a.m. and 5:00 p.m.] To Counties, Cities and Towns.

SB 156 - (Gaston) Introduced by Rankin

"To amend Chapter 92 of the Private Laws of 1921 relating to the election of school commissioners in the Gastonia City Administrative School Unit." [Amends Ch. 37, Sec.4, 1947 Session Laws, to provide that no person may register and vote in election for school commissioners who does not reside in Gastonia City Administrative School Unit.] To Election Laws.

SB 158 - (Cumberland) Introduced by Sanford

"To provide for the exercise of powers by police officers beyond the corporate limits of the Town of Hope Mills, in Cumberland County." [Extends authority of town police one mile beyond corporate limits in all directions.] To Counties, Cities and Towns.

SB 159 - (Lee) Introduced by Williams

"To authorize the Board of County Commissioners of Lee County to defer quadrennial revaluation and reassessment of real property." [Permits county commissioners to defer quadrennial revaluation until 1954 or 1955.] To Finance.

SB 160 - (Johnston) Introduced by Whitley

"To enlarge the jurisdiction of the Mayor of the Town of Clayton." [Confers following jurisdiction on mayor's court: (1) original and concurrent with JP of all offenses committed in, or within one mile radius outside, corporate limits now or hereafter under jurisdiction of JP including those now in jurisdiction of mayor's court; (2) original jurisdiction of all other criminal offenses committed in, or within one mile radius outside, corporate limits below grade of felony as now defined by law; (3) concurrent jurisdiction with JP to bind over to superior court persons charged with crime, committed in defined territory over which mayor is not given final jurisdiction ; and (4) jurisdiction of JP or superior court to punish for contempt, issue writs ad testificandum and other process. Persons convicted in mayor's court and imprisoned are to be held under laws governing recorder's or superior court. Law governing appeal from JP governs appeal from conviction where mayor's court has final jurisdiction. Upon such appeal, bond is required. Mayor may issue process to county officer, or to Chief of Police who is to serve process within court's jurisdiction. Town clerk is ex-officio clerk of mayor's court and may issue process, warrants, capiases, notices and writs issued by clerk of recorder's court. Mayor's court has superior courts' authority to grant continuances, take bonds, and give judgment on forfeited bonds. Mayor's court solicitor is to be appointed by, his salary to be fixed by, and to serve at pleasure of town governing body. Each defendant is to be taxed $5.00 for solicitor's fee except in cases within jurisdiction of JP. Criminal costs, to be paid into town general fund, are to be same as provided by law for recorder's court except that in cases within jurisdiction of JP costs are to be same as taxed by county JPs. Costs, incurred in issuing and serving warrants where mayor has no final jurisdiction, (and where process is served by town officer) are to be paid to town. Jury trial is required upon demand of either solicitor or accused, and is to be conducted according to procedure in JP trials. Town governing body may fix jury fees for all jurors attending pursuant to summons.] To Counties, Cities and Towns.

SB 162 - (Catawba) Introduced by Shuford

"Amending G.S. 153-13 relating to the compensation of the members of the board of county commissioners of Catawba County." [Amends G.S. 153-13, fixing county commissioners pay for attending meetings at a maximum of $2 per day and 5¢ per mile, to increase that pay to $15 per regular, recessed and special meeting, not to exceed $300 for any fiscal year.] To Counties, Cities and Towns.

SENATE CALENDAR ACTION

PUBLIC BILLS

SB 19 - Speeding and reckless driving penalties (Senate committee substitutes 2/12 and 2/18). Passed second and third readings.
SB 32 - Securing personalty affixed to realty. Reported unfavorably.
SB 96 - Deleting vehicle piston displacement law. Passed second and third readings.
SR 121 - (Joint Resolution) Marketing commission study. Reported favorably.
SB 136 - Removing furnishings from legislative halls. Reported favorably.

HB 62 - Securing tobacco hogsheads (House committee substitute 2/11). Received from House; sent to Public Roads.
HB 87 - Welfare certification services. Passed second and third readings.
HB 97 - Stockholder assent to charter amendment. Passed second and third readings.
HB 148 - Defining relatives for military benefits. Passed second and third readings.
HB 204 - Michie supplements prima facie law. Received from House; sent to Judiciary 2.
HB 238 - Return of arrest warrants, as amended in House 2/16. Reported favorably.

LOCAL BILLS

SB 113 - (Sampson) Extending Salemburg limits. Passed third reading.
SB 116 - (Halifax) Roanoke Rapids inspection fees. Passed second reading.
SB 120 - (Lee) Approving education board contracts. Reported favorably.
SB 122 - (Randolph) Rewriting Staley charter. Passed third reading.
SB 129 - (Wake) General county court. Reported favorably.

HB 25 - (Pamlico) Revaluation bond issue. Passed second reading.
HB 45 - (New Hanover) Carolina Beach referendum, as amended in House 2/5. Passed second reading.
HB 103 - (Duplin) Amending Calypso charter, as amended in House 2/6. Passed second reading.
HB 122 - (Pender) Veterans service officer levy increase. Passed second reading.
HB 131 - (Person) Adopting state rabies law. Passed second and third readings.
HB 132 - (Wake) Holly Springs charter amendment. Passed third reading.
HB 159 - (Caswell) Prohibiting palmistry. Postponed to 2/20.
HB 161 - (Duplin) Reward for capturing whiskey stills, as amended in House 2/12. Clarifying amendment adopted; passed second and third readings.
HB 169 - (Union) Extending Monroe limits. Passed third reading.
HB 188 - (McDowell) Firemen jury duty exemption. Reported favorably.
HB 257 - (Davidson) County court police warrants. Received from House; sent to Courts and Judicial Districts.
HB 260 - (Burke) Prohibiting pre-1931 tax collection. Received from House; sent to Finance.
HB 269 - (Wake) County water and sewer lines. Received from House; sent to Counties, Cities and Towns.
HB 281 - (Rowan) Postponing revaluation. Received from House; sent to Finance.
HB 283 - (Cumberland) Public drunkenness. Received from House; sent to Judiciary 1.
HB 284 - (Harnett) Dunn volunteer firemen jury exemption. Received from House; sent to Courts and Judicial Districts.

Next session of Senate: 10:00 a.m., Friday, February 20, 1953.

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BULLETIN NO. 32
Thursday, February 19, 1953

Session: House -- 12 noon

PUBLIC BILLS INTRODUCED -- HOUSE

HB 333 - Introduced by Pou and others

"To amend Chapter 87 of the General Statutes relating to license fees for general contractors and the disposition of surplus funds of the State Licensing Board for Contractors." [Amends G.S. 87-7 to state that excess funds of State Licensing Board for Contractors are to be paid to greater UNC for use of school of engineering through N. C. Engineering Foundation, rather than for use of engineering department. Raises amounts to accompany application for license as follows: (1) unlimited, from $60 to $80; (2) intermediate, from $40 to $60; and (3) limited, from $20 to $40. License renewals are increased as follows: (1) unlimited, from $30 to $60; (2) intermediate, from $20 to $40; and (3) limited, from $10 to $20.] To Finance.

HB 334 - Introduced by Worthington

"Authorizing the Governor and Council of State to furnish Volumes 3A, 3B, and 3C of the General Statutes of North Carolina to the justices of the supreme court, the judges and solicitors of the superior courts, the supreme court library, and other state officials and agencies." [As title indicates; number of volumes purchased and number and manner of distribution is in discretion of Governor and Council of State, with funds to come from contingency and emergency fund.] To Judiciary 2.

HB 336 - Introduced by Clark of Bladen

"To define and regulate the practice of naturopathy in the State of North Carolina, to provide for a state board of naturopathic examiners and to define the powers and duties of said board." [Creates 5-member State Board of Naturopathy Examiners to examine, license and regulate those practicing naturopathy, which is defined as a system of physical culture using dietary control, psychological treatment, and drugless treatment of diseases. Board composed of naturopathic physicians would be appointed (and vacancies filled) by Governor for 3-year staggered terms from panel of not less than 10 recommended by N. C. Naturopathic Association. Requires board to examine applicants of good character who are high school graduates with two years in standard college or university and who hold diploma from accredited and approved Naturopathy institution conferring degree of doctor of naturopathy (such institutions must be 4-year schools of 9-month terms, or total of 4400 hours). Applicants pay $35 fee. Board is to license own members and resident practicioners holding doctor's degree in naturopathy on proof of good character and payment of $25 fee, and may grant reciprocity licenses to licensed practitioners of other states with requirements equal to N. C. on payment on $50 fee. Requirements for license include proficiency in theory and practice of naturopathy, public health, hygiene, diagnosis and analysis, anatomy, physiology, biological chemistry, gynecology, obstetrics, dietetics, phyto-therapy, pathology, and jurispurdence. Licenses must be registered with CSC of county of residence. Licenses may, after notice and public hearing, be denied or revoked for causes listed in act, with right of appeal to superior court for trial de novo granted to aggrieved party. Licenses must be renewed annually for $25 fee, and renewal applicant must show certificate of completion of 2-day education program conducted by board unless excused. Practice without a license is made misdemeanor. Board members receive $10 per working day, actual expenses up to $10 per day, and necessary transportation, with all expenses paid from fees and balance going to general fund. Naturopathic physicians would be subject to all federal, state, and municipal health regulations. Board can investigate and pass upon standing of any naturopathy school in N. C., and must adopt and promulgate administrative rules and regulations in same manner as other administrative boards. Board is to meet annually in Raleigh on second Monday in Feb. to examine applicants, and may examine again in Aug.] To Health.

LOCAL BILLS INTRODUCED -- HOUSE

HB 328 - (Pender) Introduced by Murphy

"To incorporate the city of New Topsail Beach in the county of Pender, state of North Carolina." [Incorporates New Topsail Beach defining corporate limits and granting usual corporate powers plus powers (1) to acquire more property than needed for public improvements, (2) to sell or lease such excess property with protective restrictions and to issue bonds on security of such property, (3) to operate public libraries, and (4) to own and operate and to issue bonds and levy taxes for recreation areas, piers, and other property and projects of municipal interest. Provides for mayor and board of three commissioners, to be nominated and elected at large for two year terms, vacancies thereon to be filled by board. Board is to be judge of qualifications of board and mayor. Board salaries are to be fixed by ordinance to become effective during term of office following that of board passing ordinance. Provides for election of mayor pro tem, regular and special meetings of board, open sessions of board, procedures for conduct of business and for introduction and passage of ordinances, effective date of ordinances (including emergency ordinances), authentication of ordinances, and publication of substance of ordinances within 10 days from passage. Gives procedure for conducting biennial municipal elections on Tuesday following first Monday in May in odd numbered years; candidates are to be nominated by petition. Authorizes appointment of necessary city officers who need not be residents at time of appointment. Duties of clerk, attorney (who shall have practiced in state at laast five years), accountant, tax collector and treasurer are set forth. Other administrative provisions provide for custody of town money, purchasing procedure (all expenditures for supplies costing more than $5000 to be made by contract following competitive bidding; improvements costing more than $5000 need not be let by contract if town employees perform work), contracts extending beyond one year (not valid for more than 10 years and advance notice of passage of ordinance must be published), and independent audit. Provides for forfeiture of office where official has personal financial interest in dealing with town; such contracts made voidable.] To Counties, Cities and Towns.

HB 329 - (Carteret) Introduced by Mobley

"To prohibit the deposit or leaving of broken bottles, tin cans, and other materials on the beaches of Bogue and Core Banks in Carteret County." [As title indicates, prohibits leaving of dangerous or injurious objects or materials on indicated beaches, and makes violation of prohibition a misdemeanor, punishable by fine up to $50 or imprisonment up to 30 days.] To Local Government.

HB 330 - (Buncombe) Introduced by Jordan

"To authorize the town of Biltmore Forest to subsidize or contract for a bus service for the use of the public in the town of Biltmore Forest and to provide for the levy of a tax therefor." [Authorizes town to contract for or subsidize between city of Asheville and various points within limits of town, routes, schedules, and fares to be fixed, altered or amended by town commissioners (routes within Asheville corporate limits subject to city council approval). Provides for town election to decide whether tax of up to 8¢ per $100 valuation of all real and personal property taxable by town shall be levied to support such bus service, no such tax to be levied unless approved by majority of qualified voters. Election is to be held coincident with general election on May 4, 1953 on special ballot prepared therefor; a copy of this act must be mailed to all voters of town no less than 30 days prior thereto. Bus service instituted under these provisions may be discontinued at any time thereafter by town commissioners if such action is directed by a majority of voters at special election called for such purpose. Such election must be held and notice given to voters, within 60 days of either (1) calling of such election by majority vote of town commissioners, or (2) filing of written petition signed by at least 25% of registered voters of town. No such special election may be called prior to May 4, 1954, and no more than one such special election may be held in one calendar year.] To Counties, Cities and Towns.

HB 331 - (Greene) Introduced by Edwards

"Relating to the establishment of special school taxing units for the purpose of authorizing the issuance of school bonds and to levy taxes within such special taxing units for the payment of said bonds, by amending Chapter 279 of the Public-Local Laws of 1937 and making said act applicable to Greene County." [Makes applicable to Greene County provisions of Ch. 279, 1937 Public-Local Laws, (digested under SB 145 in Senate section of Bulletin No. 31). Adds gymnasium, agricultural buildings, shops, school cafeterias and other necessary buildings to school buildings for which issuance of bonds and/or notes is now authorized.] To Finance.

HB 332 - (McDowell) Introduced by Perkins

"To authorize the board of county commissioners of McDowell County to appoint county policemen, fix their salaries and prescribe their duties." [Authorizes board to appoint county policemen in such numbers as deemed necessary, and to remove them at will. Empowers board to prescribe qualifications and duties, fix salaries, and establish a headquarters for such policemen. Policemen are to receive in addition to salary such equipment and travel expenses as board determines, and are to collect same fees and have same authority to make arrests and execute civil and criminal process as is now prescribed by law for sheriffs. All fees collected are to be paid into county general fund. Jurisdiction of policemen is county-wide.] To Local Government.

HB 335 - (Pitt) Introduced by Worthington and Kilpatrick

"To permit certain construction of public buildings in Pitt County by the governing authority of a city administrative unit." [Permits governing authority of any city administravive unit of public school system (or other proper public authority of Pitt County) charged with school building construction to use its own officers and employees to construct any school building costing no more than $35,000.] To Judiciary 2.

HB 337 - (Stokes) Introduced by Rodenbough

"Relating to the salaries of certain county officials in Stokes County." [Fixes annual salaries of Stokes County officials as follows: (1) sheriff, $4200, plus up to $600 (in discretion of county commissioners) for services performed in acting as county treasurer; (2) CSC, $4200; (3) register of deeds, $4200; (4) Assistant CSC, $3000; (5) deputy register of deeds, $3000; (6) Tax supervisor and tax collector (one officer), $3600, plus a reasonable amount in discretion of commissioners for clerical assistance.] To Local Government.

HB 338 - (Stokes) Introduced by Rodenbough

"To authorize the Board of County Commissioners of Stokes County in its discretion to destroy certain old, obsolete, and useless records of the county." [Authorizes commissioners to inspect all records and papers of Stokes County public offices and to destroy all which were created prior to 1936 and are of no further official use.] To Local Government.

HB 339 - (Anson) Introduced by Little

"Relating to rewards for the seizure and destruction of whiskey stills in Anson County." [Authorizes county commissioners to pay sheriff or other county officer $20 for own use, whether on fees or salary, for bona fide capture and destruction of illegal stills in accordance with rules set by commissioners. Such reward is to be taxed in bill of costs of persons convicted of owning still and paid after approval of board to officer, but if not collected within 30 days after conviction, reward may be paid and subsequent costs collected retained by county.] To Local Government.

HOUSE CALENDAR ACTION

PUBLIC BILLS

SB 34 - Unfair trade practices. Passed third reading.
SB 44 - Delegating county welfare board powers. Amended to require county board of public welfare to take action at next monthly meeting to accept, reject, or modify action of county superintendent of public welfare in granting emergency assistance. Passed second and third readings.
SB 57 - Committing mentally disordered. Reported favorably as amended.
SB 88 - Increasing highway divisions, as amended in Senate 2/11. Passed second and third readings.
SB 99 - Defining wild boar. Received from Senate; sent to Wildlife Resources.
SB 110 - Authorizing officers retirement fund investments. Received from Senate; sent to Teachers' and State Employees' Retirement.

HB 44 - Bulb growers farmer license plates. Passed second and third readings.
HB 99 - Rewording hit and run statute. Re-referred to Roads and Highway Safety.
HB 139 - Psychiatric student loans. Reported favorably; re-referred to Appropriations.
HB 163 - Two-judge superior court districts. Reported favorably.
HB 181 - Soil conservation district boundary changes. Reported favorably.
HB 184 - Commitment of mentally ill. Reported favorably as amended.
HB 185 - Road construction damage suit limitation. Reported favorably as amended.
HB 194 - Total disability compensation limit. Reported unfavorably.
HB 205 - Governmental reorganization commission. Reported favorably.
HB 206 - Machinery identification marks. Reported favorably as amended.
HB 207 - Renewing summons by endorsement. Reported favorably.
HB 212 - Defining wild boar. Reported favorably.
HB 248 - Trustees for adult incompetents. Reported favorably.
HB 256 - Petition signatures in special proceedings. Reported favorably.
HB 259 - Education board surplus property sale. Passed second and third readings.
HB 261 - Cash bond forfeits. Reported favorably as amended.

LOCAL BILLS

SB 13 - (Graham) Jailer fees. Postponed to 2/24.
SB 62 - (Davidson) Thomasville councilman pay. Passed second and third readings.
SB 79 - (Franklin) Changing school district bond act. Passed second reading.
SB 85 - (Edgecombe) Bond when jury trial transferred. Reported unfavorably.
SB 93 - (Catawba) Hickory property sale payment. Passed second and third readings.
SB 100 - (Graham) Prohibiting Cheoah trot lines. Received from Senate; sent to Wildlife Resources.
SB 111 - (Edgecombe) Validating jailer fees (Senate committee substitute 2/18). Received from Senate; sent to Local Government.
SB 118 - (Wake) Precinct 28 police and regulation. Received from Senate; sent to Counties, Cities and Towns.

HB 92 - (Yancey) Burnsville pool room limitation. Reported favorably.
HB 155 - (Burke) Tax discounts and penalties. Passed second and third readings.
HB 173 - (Yadkin) Fox hunting. Reported favorably.
HB 187 - (Rutherford) reconveyance of school land. Passed second and third readings.
HB 192 - (Tyrrell) Fox hunting. Reported favorably.
HB 221 - (Cumberland) Prohibiting deer hunting in certain townships. Reported favorably as amended.
HB 229 - (Mecklenburg) Davidson tax prepayment discounts. Passed second and third readings.
HB 230 - (Cumberland) Transferring ABC funds for annex. Passed second and third readings.

HB 234 - (Iredell) Mooresville recorder residence. Passed second and third readings.
HB 241 - (Chowan) Delinquent tax transfer. Passed second and third readings.
HB 242 - (Henderson) Drawing jurors. Reported favorably.
HB 243 - (Moore) Register fees. Amended to eliminate conflicting effective date, so that all provisions of bill are effective on the first day of first month after ratification. Passed second and third readings.
HB 244 - (Moore) Clerks fees. Passed second and third readings.
HB 245 - (Granville) Creedmoor charter amendment. Re-referred to Local Government.
HB 247 - (Franklin) Recorder court jurisdiction. Passed second and third readings.
HB 249 - (Montgomery) Mount Gilead water system. Passed second and third readings.
HB 263 - (Cherokee) JP fees. Passed second and third readings.
HB 265 - (New Hanover) Kure Beach officials election. Passed second and third readings.
HB 270 - (Wake) TB sanitorium managers. Passed second and third readings.
HB 271 - (Wake) Domestic relations court, as amended in House 2/18. Recalled from Senate; reconsidered votes by which bill passed second and third readings; re-referred to Judiciary 2.
HB 272 - (Wake) Officials salaries. Passed second and third readings.
HB 273 - (Avery and Mitchell) Fox hunting. Reported favorably.
HB 274 - (Pender) Burgaw police jurisdiction extension. Passed second and third readings.
HB 276 - (Granville) Oxford city hall sale. Passed second and third readings.
HB 277 - (Granville) Oxford mayor court solicitor. Passed second and third readings.
HB 278 - (Jones) Validating education board lease. Passed second and third readings.
HB 279 - (Davidson) Lexington utilities commission finances. Passed second and third readings.
HB 282 - (Alleghany) Clerk salary. Passed second and third readings.
HB 285 - (Bertie) Bear hunting. Reported favorably.
HB 286 - (Bertie) Reactivating town of Bertie. Passed second and third readings.
HB 290 - (Onslow) Jacksonville police desk warrants. Passed second and third readings.
HB 294 - (Dare) Bay rum prohibition exemption. Reported favorably.
HB 297 - (Person) Officials salaries. Passed second and third readings.
HB 298 - (Alamance) Authorizing off-year revaluation. Passed second and third readings.
HB 325 - (Granville) Drawing jurors. Reported favorably.

BILLS RATIFIED

SB 33 - Proving service in civil actions.

HB 48 - (Gaston) Authorizing surplus expenditure, as amended in House 2/12.
HB 128 - (Henderson) Hendersonville water commissioner appointment.
HB 178 - (Robeson) Highway patrol headquarters site.
HB 179 - (Gaston) Bessemer City charter amendment.
HB 182 - (Davidson) Delinquent tax transfer.
HB 190 - (Avery) Tax penalties and discounts.
HB 202 - G.S. ratification and codification, as amended in House 2/11.
HB 210 - (Columbus) Transferring auditor duties.
HB 214 - (Cleveland) Delinquent tax transfer.

Next session of House: 10:00 a.m., Friday, February 20, 1953.

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INSTITUTE OF GOVERNMENT

LEGISLATIVE SERVICE

GENERAL ASSEMBLY OF NORTH CAROLINA

DAILY BULLETIN

P. O. Box 1658 111 West Morgan St., Raleigh, N. C. Telephone 3-5515

BULLETIN NO. 33
Friday, February 20, 1953

Session: Senate -- 10:00 a.m.

PUBLIC BILLS INTRODUCED -- SENATE

SB 163 - Introduced by Copeland and Godwin

"Relating to the playing of basketball by girl students in certain counties of the State." [Identical with HB 348 digested in House section of today's bulletin.] Passed three readings as amended and sent to House.

SB 164 - Introduced by Royster

"To amend Article 30 of Chapter 143 of the General Statutes relating to the Buggs Island Development Commission so as to change the name of said commission to the John H. Kerr Reservoir Development Commission and to make certain provisions therefor." [Amends cited article to change name of Buggs Island Development Commission to John H. Kerr Reservoir Development Commission. Adds G.S. 143-286.1 to authorize board of conservation and development to enter into lease agreements with federal government covering marginal land area of reservoir (to be called Nutbush Conservation Area) for park purposes and program of conservation, forestry development and wildlife protection. Authorizes board of conservation and development to delegate authority to reservoir development commission to make sub-leases with proceeds to be used for development of Nutbush area. Adds G.S. 143-290.1 and G.S. 143-290.2 to create 3-member Nutbush Zoning Commission (one member each appointed by county commissioners of Granville, Vance, and Warren counties) with general zoning powers as conferred on municipalities by Art. 14, G. S. Ch. 160. Commissioners are to serve for 2-year terms without compensation and are commissioners for special purpose within meaning of Art. XIV, Sec. 7, N. C. Constitution (prohibiting double office holding). Any public officer appointed to commission is to serve as ex-officio member. Board of commissioners in each county is to act as Board of Adjustment for property of Nutbush area within that county with powers and duties prescribed by G.S. 160-178. Appeals from zoning commission may be taken to board of commissioners of county in which property affected lies; if property lies in 2 counties, appeal may be taken to either board of commissioners in discretion of property owner. Adds G.S. 143-290.3 to confer jurisdiction on Nutbush zoning commission over all privately owned land within 1,000 feet of reservoir. Appropriates $33,000 to department of conservation and development for developing Nutbush conservation area.] To Conservation and Development.

SB 166 - Introduced by Hundley

"Prescribing the fees and charges of the North Carolina Utilities Commission." [Fixes following fees to be collected by N. C. Utilities Commission: (1) $25 for notice of appeal or of application for writ of certiorari; (2) $15 for application for certificate or permit for motor carrier operating rights and for application to extend operations thereunder; (3) $15 for application for increase in rates and fares except when made to eliminate inequities in particular rates or fares; (4) $15 for application for discontinuance of train service or change in or discontinuance of stations; (5) $15 for application for certificate of public convenience and necessity and for amendment to extend operations thereunder; (6) $10 for application for approval of issuance of securities and of sale, lease, hypothecation, lien or transfer of property or operating rights of carrier or utility; (7) $10 for any other application, petition or complaint for affirmative relief against carrier or utility except when made to eliminate inequities in particular rates or fares or when made by any governmental agency or unit of State; (8) $1 for registration and 25¢ for annual re-registration, of motor vehicles operated by motor carriers. Fixes fees for transcripts of testimony, orders, certificates or other records. Witness and process fees are to be paid by moving party. Fees must be paid prior to filing. Repeats Ch. 1008, Sec. 36, 1947 Session Laws and Ch. 1132, Sec. 33, 1949 Session Laws which fix fees for similar applications. Repeals provisions in Ch. 1132, Sec. 10, 1949 Session Laws setting $5.00 fee for motor carrier filing protest against granting of certificate or permit.] To Public Utilities.

LOCAL BILLS INTRODUCED -- SENATE

SB 165 - (Davidson) Introduced by Hundley

"Authorizing the City of Thomasville to convey title to certain school property to the board of trustees of the Thomasville administrative school unit." [Directs City of Thomasville to convey title to Main Street and Colonial Drive school properties to city administrative school unit.] To Education.

SB 167 - (Franklin) Introduced by Hobgood

"To empower the commissioners of the Town of Louisburg to convey an unused and abandoned street." [Citing fact that commissioners desire to formally abandon King street which has never been formally accepted or used as public street, authorizes conveyance of all town's rights and title in King street, without advertisement.] To Counties, Cities and Towns.

SB 168 - (Cumberland) Introduced by Sanford

"To extend the jurisdiction of the police officers of the town of Spring Lake in Cumberland County and the mayor's court of the Town of Spring Lake in Cumberland County to include all of the territory situated within three miles of the corporate limits of said town." [Extends jurisdiction of Spring Lake police and mayor's court to all territory within 3 miles of corporate limits.] To Counties, Cities and Towns.

SB 169 - (Durham) Introduced by Currie

"To amend the charter of the City of Durham by changing denomination of city tax collector or tax collector to collector of revenue." [Amends Ch. 142 of 1921 Private Laws (Durham charter) to effect change indicated in title.] To Counties, Cities and Towns.

SENATE CALENDAR ACTION

PUBLIC BILLS

SB 44 - Delegating county welfare board powers, as amended in House 2/19. Received from House for concurrence in House amendment; postponed to 2/23.

SR 121 - (Joint Resolution) Marketing commission study. Passed second and third readings.

SB 136 - Removing furnishings from legislative halls. Passed second and third readings.

SB 141 - Authorizing Sunday process service. Reported favorably.

SB 163 - Girls inter-county basketball tournaments. Originally introduced as local bill applicable to 5 counties, bill was placed on calendar and amended to apply to approximately 50 counties; passed three readings; sent to House; recalled from House; vote by which bill passed third reading reconsidered; postponed indefinitely.

HB 44 - Bulb growers farmer license plates. Received from House; sent to Finance.
HB 174 - Governor's emergency war powers, as amended in House 2/11. Reported favorably.
HB 204 - Michie supplements prima facie law. Reported favorably.
HB 238 - Return of arrest warrants, as amended in House 2/16. Amended to make bill inapplicable to Edgecombe County; passed second and third readings.
HB 259 - Education board surplus property sale. Received from House; sent to Education.
HB 348 - Girls inter-county basketball tournaments, as amended in House 2/20. Received from House; placed on calendar; passed second and third readings.

LOCAL BILLS

SB 116 - (Halifax) Roanoke Rapids inspection fees. Passed third reading.
SB 120 - (Lee) Approving education board contracts. Passed second and third readings.
SB 129 - (Wake) General county court. Postponed to 2/23.

HB 25 - (Pamlico) Revaluation bond issue. Passed third reading.
HB 45 - (New Hanover) Carolina Beach referendum, as amended in House 2/5. Passed third reading.
HB 80 - (New Hanover) Superior court assistant solicitor, as amended in House 2/5. Reported favorably.
HB 81 - (New Hanover) Establishing law library. Reported favorably.
HB 103 - (Duplin) Amending Calypso charter, as amended in House 2/6. Passed third reading.
HB 122 - (Pender) Veterans service officer levy increase. Passed third reading.
HB 147 - (Columbus) Grand jury selection. Reported favorably.
HB 155 - (Burke) Tax discounts and penalties. Received from House; sent to Finance.
HB 159 - (Caswell) Prohibiting palmistry. Postponed to 2/23.
HB 187 - (Rutherford) Reconveyance of school land. Received from House; sent to Education.
HB 188 - (McDowell) Firemen jury duty exemption. Passed second and third readings.
HB 229 - (Mecklenburg) Davidson tax prepayment discounts. Received from House; sent to Finance.
HB 230 - (Cumberland) Transferring ABC funds for annex. Received from House; sent to Counties, Cities and Towns.
HB 234 - (Iredell) Mooresville recorder residence. Received from House; sent to Courts and Judicial Districts.
HB 241 - (Chowan) Delinquent tax transfer. Received from House; sent to Counties, Cities and Towns.
HB 244 - (Moore) Clerks fees. Received from House; sent to Salaries and Fees.
HB 247 - (Franklin) Recorder court jurisdiction. Received from House; sent to Courts and Judicial Districts.
HB 249 - (Montgomery) Mount Gilead water system. Received from House; sent to Counties, Cities and Towns.
HB 263 - (Cherokee) JP fees. Received from House; sent to Salaries and Fees.
HB 265 - (New Hanover) Kure Beach officials election. Received from House; sent to Counties, Cities and Towns.
HB 270 - (Wake) TB sanatorium managers. Received from House; sent to Counties, Cities and Towns.
HB 272 - (Wake) Officials salaries. Received from House; sent to Salaries and Fees.
HB 274 - (Pender) Burgaw police jurisdiction extension. Received from House; sent to Counties, Cities and Towns.
HB 276 - (Granville) Oxford city hall sale. Received from House; sent to Counties, Cities and Towns.
HB 277 - (Granville) Oxford mayor court solicitor. Received from House; sent to Counties, Cities and Towns.
HB 278 - (Jones) Validating education board lease. Received from House; sent to Education.

HB 279 - (Davidson) Lexington utilities commission finances. Received from House; sent to Counties, Cities and Towns.
HB 282 - (Alleghany) Clerk salary. Received from House; sent to Salaries and Fees.
HB 286 - (Bertie) Reactivating town of Bertie. Received from House; sent to Counties, Cities and Towns.
HB 290 - (Onslow) Jacksonville police desk warrants. Received from House; sent to Counties, Cities and Towns.
HB 297 - (Person) Officials salaries. Received from House; sent to Salaries and Fees.
HB 298 - (Alamance) Authorizing off-year revaluation. Received from House; sent to Finance.

BILLS RATIFIED

SB 34 - Unfair trade practices.
SB 62 - (Davidson) Thomasville councilman pay.
SB 88 - Increasing highway divisions, as amended in Senate 2/11. (Identical with HB 170.)
SB 93 - (Catawba) Hickory property sale payment.

HB 87 - Welfare certification services.
HB 95 - (Caswell and Madison) JP warrants and receipts, as amended in House 2/5 and Senate 2/17.
HB 97 - Stockholder assent to charter amendment.
HB 131 - (Person) Adopting state rabies law.
HB 132 - (Wake) Holly Springs charter amendment.
HB 148 - Defining relatives for military benefits.
HB 169 - (Union) Extending Monroe limits.

Next session of Senate: For consideration of local bills only, 9:30 a.m., Saturday, February 21, 1953.

#

BULLETIN NO. 33
Friday, February 20, 1953

Session: House -- 10:00 a.m.

PUBLIC BILLS INTRODUCED -- HOUSE

HB 343 - Introduced by White of Lenoir

"To amend Chapter 149 of the Private Laws of 1889 incorporating the North Carolina Christian Missionary Convention." [Changes name of North Carolina Christian Missionary Convention to North Carolina Christian Missionary Society.] To Judiciary 2.

HB 344 - Introduced by Blue and others

"To amend Chapters 57 and 58 of the General Statutes of North Carolina relating to the renewability of hospital and medical service contracts and accident and health insurance policies." [Effective Jan. 1, 1954, amends G.S. Chs. 57 and 58 to strike out and rewrite references to notice period to be given by hospital and medical service corporations of intention of terminating insurance coverage. Provides that such contracts must contain statements that renewal may be denied provided sufficient notice is given subscriber. Sufficient notice is defined as 10 days prior to due date during first year or first year after a lapse and reinstatement; after any payment is accepted for any part of second year, notice is to be number of months equal to 1/2 the months of continuous coverage since original or reinstated policy was year old, until notice period is enough to provide coverage until insured is age 70, at which point notice period remains constant.] To Judiciary 1.

HB 348 - Introduced by Etheridge and others

"Relating to the playing of basketball by girl students in certain counties of the State." [Citing State Board of Education regulation prohibiting playing of girls' high school basketball tournament games out of county in which high school is located and hardship caused thereby in counties with few high schools, provides that regulation does not apply to Perquimans, Pasquotank, Camden, Currituck, and Dare counties, and permits those counties to use gymnasiums for high school basketball tournaments.] Passed three readings after being amended to make abrogation of board's regulation state-wide and to authorize county boards of education in their discretion to permit use of public school gymnasiums for high school basketball tournaments; sent to Senate.

HB 362 - Introduced by Maddrey and Hewlett

"To validate and confirm titles to marsh lands heretofore conveyed by the Literary Fund, the Literary Board, and the State Board of Education; to validate and confirm titles to marsh and swamp lands heretofore granted by the State of North Carolina; to ratify, confirm, and validate the title of the State Board of Education of North Carolina to marsh lands which have heretofore been claimed as owned by the Literary Fund, the Literary Board of North Carolina, and the State Board of Education of North Carolina; and authorizing and empowering the State Board of Education to sell and convey such lands." [As title indicates; defines "marsh lands" and declares them to be non-navigable waters of the State. Authorizes state board of education to sell such lands in manner provided by G.S. Art. 10, Ch. 143.] To Judiciary 1.

HB 364 - Introduced by Sanders

"To amend G.S. 131-127 to change the name of the North Carolina Hospital for Treatment of Spastic Children so that it will henceforth be known as the North Carolina Cerebral Palsy Hospital." [As title indicates.] To Health.

HB 367 - Introduced by Allen of Granville and others

"To amend G.S. 115-352 relating to school organization." [Amends G.S. 115-352 to make following changes: (1) no high school with an enrollment of sixty or more may be closed (or pupils thereof transferred) by state board of education without approval of majority of voters in district; (2) if enrollment of any high school falls below 60, state superintendent, state board and county board are directed to survey "all matters affecting the growth of the school population" and to continue operation of such high school if school attendance exceeds or will probably exceed within two years sixty pupils. Directs similar survey on request of county board and similar action be taken in connection with all schools closed since Sept. 1, 1952; (3) high schools and elementary schools with enrollment of less than 45 may be continued when state board and state superintendent consider it impossible to provide for such pupils adequately in any other manner; (4) requires approval of county board before pupils living in one administrative unit or district may be transferred to another administrative unit or district; and (5) prohibits erection of new school plants or enlargement of existing plants for sole purpose of transferring pupils from one administrative unit or district to another so long as adequate plants are available in unit or district from which such pupils are being transferred.] To Education.

HB 368 - Introduced by Womble of Forsyth and Gobble

"To amend Section 150, Article II, Chapter 371 of the Public Laws of One Thousand Nine Hundred Thirty Five relating to license taxes on laundries." [Clarifies G.S. 105-85, which now sets license tax for hand laundries or "home-size machine" laundries with no more than 12 employees at 1/3 regular rate, by eliminating reference to "home-size machines" and rephrasing to refer to a laundry where no washing, drying, or other processing machines ever contain laundry of more than one patron at a time. No change is made in rate of tax or maximum number of employees.] To Finance.

HB 376 - Introduced by White of Chowan

"To reimburse Scott Motor Sales Company for damages caused through a collision with a state-owned automobile." [Citing collision of private car and highway patrol car, authorizes Department of Motor Vehicles to investigate claim of Scott Motor Sales Company and upon satisfactory proof of negligence of driver of highway patrol car and absence of contributory negligence by driver of privately-owned car to pay company an amount not to exceed $100 for expenses of actual repairs to privately-owned car.] To Appropriations.

LOCAL BILLS INTRODUCED -- HOUSE

HB 340 - (Perquimans) Introduced by Holmes

"Fixing the compensation of the chairman and members of the board of county commissioners of Perquimans County." [Repeals Ch. 549, 1945 Session Laws and raises compensation of county commissioners for attendance at meetings from $7.50 per day plus mileage to $15 per day plus mileage. Raises pay of chairman for extra services from $100 to $200 per year.] To Counties, Cities and Towns.

HB 341 - (Mecklenburg) Introduced by Goodman, Gillette, Hicks and O'Herron

"Relating to the filing of papers by the clerk of superior court of Mecklenburg County." [Effective July 1, 1953, provides that CSC is not to accept any papers executed after effective date for probate or recordation (except holographic wills) unless signature of drafter appears on cover page following words "drawn by".] To Counties, Cities and Towns.

HB 342 - (Mecklenburg) Introduced by Goodman, Gillette, Hicks and O'Herron

"To repeal Chapter 636 of the Public-Local Laws of 1913 relating to the sale days for sales of real property sold under power of sale in Mecklenburg County, and to validate certain sales made on days other than those previously provided." [Repeals Ch. 636, 1913 Public-Local Laws, which fixes days for sale of real property under power of sale in mortgages and deeds of trust on first or third Monday in any month, and validates all sales otherwise valid previously held on any day in week except Sunday.] To Judiciary 1.

HB 345 - (Cabarrus) Introduced by Quinn

"Relating to disorderly conduct in public places in Cabarrus County." [Effective July 1, 1953, makes it misdemeanor for person in public place to conduct himself in disorderly manner by using profane or indecent language or to act in manner calculated to cause breach of peace. Public places include but are not limited to stores, cafes, theaters and streets.] To Judiciary 1.

HB 346 - (Cabarrus) Introduced by Quinn

"Creating a traffic bureau for the unincorporated town of Kannapolis in Cabarrus County to handle certain traffic violations within the town." [Creates traffic bureau to have jurisdiction over specified traffic violations committed within one mile of Cannon Memorial YMCA. Deputy sheriff acting as town chief of police, or successor, is appointed director of bureau; authorized to accept plea of guilty and "to otherwise handle" traffic violations; and is to appoint sufficient number of officers so that plea of guilty may be entered or costs paid at any time. Person receiving traffic violation citation may plead guilty, pay $1 court costs, and be discharged, except that such plea and payment may be refused when, before such plea is entered police department has issued warrant returnable before JP or recorder's court. Person charged with traffic violation may demand trial, in which case officer issuing citation is to give information for warrant returnable before JP or recorder's court. No state tax is to be paid in cases finally disposed of by bureau. Costs collected are to be paid to county general fund for support of bureau. Effective July 1, 1953.] To Judiciary 1.

HB 347 - (Cabarrus) Introduced by Quinn

"To amend G.S. 14-335, relating to public drunkenness, by making the section applicable to Cabarrus County." [Amends G.S. 14-335 (11) as title indicates. G.S. 14-335 (11) fixes as penalties for public drunkenness $50 maximum fine or 30 days maximum imprisonment for first offense; $100 maximum fine or 60 days maximum imprisonment for second offense within 12 months; and punishment as misdemeanor, in discretion of court, for third offense within any 12 month period. Effective July 1, 1953.] To Judiciary 1.

HB 349 - (Catawba) Introduced by Leinbach

"Relating to the recording of plats and subdivisions of property lying within the city of Newton or the 'Planning District' of the city of Newton." [Authorizes CSC and register of deeds to refuse recordation of any map or plat of subdivision of real property unless surveyor making map or plat swears either (1) that subdivision is within or no part is within Newton corporate limits or planning district, or (2) if subdivision or any part is within Newton corporate limits or planning district, that map or plat has been approved by Newton board of aldermen. Newton "planning district" is defined as all land within Newton corporate limits or within 1 mile radius thereof except those lands lying within Conover corporate limits or within jurisdiction of Conover planning commission.] To Judiciary 2.

HB 350 - (Catawba) Introduced by Leinbach

"Authorizing the City of Newton in Catawba County, North Carolina, to sell to Catawba County a fire truck at private sale." [As title indicates. Provides that G.S. 160-59 governing sale of town property by mayor and commissioners shall not apply to proposed sale of fire truck.] To Counties, Cities and Towns.

HB 351 - (Orange) Introduced by Umstead

"Authorizing the board of county commissioners of Orange County to fix the fees to be charged by various county officers." [Authorizes county commissioners to fix by resolution fees to be charged by register of deeds, CSC and sheriff. Fees presently authorized are to be charged until changed by county commissioners.] To Local Government.

HB 352 - (Orange) Introduced by Umstead

"To amend G.S. 152-1 so as to authorize the board of county commissioners of Orange County to appoint an assistant coroner." [Amends G.S. 152-1, relating to election and appointment of coroners, to add that county commissioners may appoint an assistant coroner, to serve at their pleasure, with all power, duties and liabilities of regular coroner with respect to inquests. He is to take oaths of public officer, be bonded for $2000, and paid as commissioners may determine.] To Local Government.

HB 353 - (Orange) Introduced by Umstead

"To set the fees and compensation of the justices of the peace in Orange County." [Sets out detailed schedule of JP fees.] To Local Government.

HB 354 - (Orange) Introduced by Umstead

"To fix salaries of certain elective officials and employees in Orange County." [Fixes annual salaries of CSC at $4400 (includes pay as juvenile judge and clerk of county recorder court); sheriff at $4100; and register of deeds at $3800. Authorizes these officials to appoint assistants and deputies at salaries to be set by county commissioners, and directs sheriff to appoint jailer, who may be a deputy. Commissioners may provide travel allowances for sheriff's office. All fees and other profits are to be turned over to county accountant. Salaries provided herein are effective beginning July 1, 1952.] To Local Government.

HB 355 - (Orange) Introduced by Umstead

"To amend G.S. 115-46, 153-13, and 152-5 relating to per diem of certain officers of Orange County." [Amends G. S. 115-46 to raise maximum per diem allowance to members of county board of education from $5 to $8, and travel allowance to and from meeting place from 5 to 7 cents per mile. Amends G.S. 153-13 to raise maximum per diem allowance to county commissioners from $2 to $10, and travel allowance to and from meeting place for each meeting attended from 5 to 7 cents per mile. Amends G.S. 152-5 to provide for payment to coroner of $8 per day for each day spent in carrying out necessary duties of office and for mileage allowance of 7 cents per mile.] To Local Government.

HB 356 - (Orange) Introduced by Umstead

"To amend G.S. 153-4 relating to the election in number of members of the Orange County Board of Commissioners." [Amends cited section to provide for election of five (instead of three) county commissioners in 1954 general election and thereafter for four (instead of two) year terms. Three candidates receiving largest number of votes in 1954 general election are to hold office for four years; two receiving next largest number of votes are to serve for two years. In case of tie vote, CSC is to determine which candidate shall serve.] To Local Government.

HB 357 - (Orange) Introduced by Umstead

"To exempt Orange County from the provisions of Article 5 of Chapter 67 of the General Statutes, and to provide for the appointment of a county dog warden and to define his duties and authority." [Removes county from application of provisions of Ch. 283, 1931 Public Laws, authorizing county commissioners to adjust and settle claims for damage done by dogs, and from similar provisions contained in G.S. 67-13. Authorizes commissioners to (1) appoint county dog warden; (2) determine salary and travel allowance of warden, to be paid from proceeds of county dog tax (funds may be supplemented from county health fund during first two years); (3) require bond for payment of all dog taxes collected by such warden; and (4) prescribe term of office, and make rules and regulations governing duties and obligations of warden. Makes warden responsible for enforcement of all dog ownership and control laws, and gives him power of arrest. Directs warden to collect county dog tax and authorizes him to act as county rabies control officer, or assistant control officer, and rabies inspector. Directs commissioners to establish dog pound under supervision of warden, and directs impounding of stray dogs and dogs whose owners refuse or fail to pay tax. Warden is to attempt to find owner or new owner while holding such dogs for 15 days, and if not claimed within such time by owners or prospective owners, to supervise destruction in a humane manner. Owner reclaiming dog must pay tax due and costs of keeping dog. Allowing dog off premises of owner or custodian without metal tag required by G.S. 106-369 declared misdemeanor, subject to $50 fine or imprisonment up to 30 days.] To Agriculture.

HB 358 - (Orange) Introduced by Umstead

"To amend Chapter 315 of the Private Laws of 1911, relating to the number of commissioners of the Town of Carrboro." [Raises number of town commissioners from four to six, and increases their term of office from two to four years (three candidates receiving highest vote in 1953 election to serve for four years; three receiving next highest vote to serve for two years). Provides for biennial elections and registration of electors under same laws, rules and regulations as are now prescribed for municipal elections, beginning in 1953. Election is to be on first Monday in May.] To Local Government.

HB 359 - (Northampton) Introduced by Woodard

"To exempt certain volunteer firemen in Northampton County from jury duty." [Beginning July 1, 1953, empowers CSC of Northampton County to excuse from jury duty any person whose name appears upon list of active town volunteer firemen in good standing with own fire department and N. C. Firemen's Association, to be submitted by each town fire chief on first day of January and July of each year.] To Judiciary 2.

HB 360 - (Robeson) Introduced by Floyd and Regan

"To validate a sale of property made by the Town of Fairmont in 1924." [As title indicates; validates sale made to C. B. Johnson on July 5, 1924, without full compliance with provisions of General Statutes.] To Judiciary 1.

HB 361 - (Robeson) Introduced by Floyd and Regan

"To amend Chapter 149 of the Private Laws of 1929, to enlarge and extend the corporate limits of the Town of Fairmont, North Carolina." [Extends Fairmont corporate limits to include area described by metes and bounds in bill.] To Local Government.

HB 363 - (Hertford) Introduced by Maddrey

"To authorize the Wildlife Resources Commission to declare open season on deer in certain areas of Hertford County." [Empowers commission, when it finds that residents of area are suffering from excessive deer population and that supply of deer justifies such open season, to declare open season on all deer within boundaries set out in bill.] To Wildlife Resources.

HB 365 - (Durham) Introduced by Sanders and Barker

"Amending G.S. 20-149 (a) relating to passing vehicles proceeding in the same direction." [Exempts municipal streets in Durham County upon which traffic lanes have been clearly marked from provisions of G.S. 20-149 (a), which requires driver of a vehicle overtaking another vehicle proceeding in the same direction to pass at least two feet to the left thereof and to return to the right side of the street until safely clear of overtaken vehicle.] To Judiciary 1.

HB 366 - (Durham) Introduced by Sanders and Barker

"To amend Chapter 406 of the Session Laws of 1951, entitled 'An act to require operators of taxicabs to give proof of ability to respond in damages for accidents.'" [Requires all taxicab operators in Durham County to file with governing board of municipality in which cabs are operated or with county commissioners a certificate of any insurance company authorized to do business within N. C. stating that there is in effect an insurance policy with respect to each cab operated with limits as follows: $10,000 for death or bodily injury of any one person (now $5,000), $20,000 for death or bodily injury of two or more persons in any one accident (now $1,000). Raises amount to be provided by participants in trust funds or sinking funds for purpose of providing required financial responsibility for property damage in any one accident from $1,000 to $5,000, and provides that limits for such trust fund or sinking fund participation shall apply to all cab operators, and not merely to operators of 15 or more cabs.] To Judiciary 1.

HB 369 - (Vance) Introduced by Faulkner

"Amending G.S. 151-4 as it relates to the compensation of the constable of Henderson township in Vance County." [Amends G.S. 151-4, which provides that constables shall be allowed same fees as sheriffs, to fix additional salary of $150 per month, retroactive to January 1, 1953, for Henderson township constable. Ratifies payments of salary and fees to constable prior to January 1, 1953.] To Counties, Cities and Towns.

HB 370 - (Wake) Introduced by Womble, Whitley and Pou

"To amend Chapter 197 of the Private Laws of North Carolina of one thousand nine hundred seven relating to the charter of the Town of Garner." [Amends Sec. 2 of cited chapter to redefine Garner corporate limits by metes and bounds set forth in bill.] To Counties, Cities and Towns.

HB 371 - (Wake) Introduced by Womble, Whitley and Pou

"To validate the official acts of the mayor and the board of commissioners in the Town of Garner in Wake County." [Validates all official acts of Garner mayor and commissioners performed under color of office after June 30, 1949 and prior to July 1, 1952.] To Counties, Cities and Towns.

HB 372 - (Avery) Introduced by Harmon

"Amending Chapter 634, Session Laws of 1951, fixing the compensation of certain officers in Avery County." [Adds $50 per month to sheriff's salary for automobile operation expenses and raises deputy's salary from $100 to $150 per month. Provides for payment of travel expenses incurred in conveying prisoners to jail or to any place of punishment or from one jail to another, in conveying prisoners to any mental institution, or in appearing before any court in Avery County, on round trip basis. Such payment is to be made in full by county commissioners from general fund in cases in which convicted person pays no costs. Prohibits officers from conveying more than three prisoners in same automobile at same time, and provides that mileage allowance is not increased when more than one prisoner is conveyed in same automobile at same time.] To Local Government.

HB 373 - (Henderson) Introduced by Whitmire

"To authorize and empower the Hendersonville Hospital Association to transfer and convey all or any part of its assets, real or personal, to Henderson County and to authorize and empower the board of commissioners of said county to sell said assets and use the proceeds thereof for any lawful public purpose." [Amends Ch. 612, 1951 Session Laws, which authorize conveyance of Association's property to a non-profit or public hospital, by adding provisions indicated in title. Commissioners may obtain and use transferred assets or sell them at public or private sale for cash or on terms. Governing authority of Association is further authorized to convey all or part of its assets to trustees of Margaret R. Pardee Memorial Hospital.]. To Judiciary 1.

HB 374 - (New Hanover) Intoduced by Hewlett

"To amend Chapter 385 of the Public Local Laws of 1921, relating to pensions to be paid to retired public school teachers of New Hanover County." [Amends Ch. 355, Sec. 2, 1921 Public Local Laws to change qualifications for New Hanover County public school teacher supplemental pension from 35 years service in county public schools to 20 years service in county public schools or having attained age of 60 with 10 years service in schools immediately preceding application for pension.] To Judiciary 1.

HB 375 - (New Hanover) Introduced by Hewlett
"To amend Chapter 708 of the Session Laws of 1943 so as to authorize investment of funds in insured savings and loan associations." [Amends cited act to permit board of trustees for Wilmington retirement system to invest up to $10,000 in pension funds in shares of any savings and loan association doing business in Wilmington which is insured by Federal Savings and Loan Insurance Corporation or other federal agency authorized to insure such shares.] To Judiciary 1.

HOUSE CALENDAR ACTION

PUBLIC BILLS

SB 19 - Speeding and reckless driving penalties (Senate committee substitutes 2/12 and 2/18). Received from Senate; sent to Judiciary 1.
SB 57 - Committing mentally disordered. Amended to permit CSC to hold immediate hearings to pass upon affidavit of mental disorder to cases of extreme emergency; passed second and third readings.
SB 96 - Deleting vehicle piston displacement law. Received from Senate; sent to Roads and Highway Safety.
SB 163 - Girls inter-county basketball tournaments, as amended in Senate 2/20. Received from Senate; returned to Senate at Senate's request.

HB 163 - Two-judge superior court districts. Amended to create additional resident judges as of January 1, rather than July 1, 1953; passed second reading.

HB 181 - Soil conservation district boundary changes. Passed second and third readings.
HB 184 - Commitment of mentally ill. Amended to require notification of superintendent of public welfare of county in which a mentally ill patient has or had residence, when relatives of such patient neglect or refuse to remove him from mental hospital within reasonable time of notice of his release and to clarify procedure to be followed when a discharged patient is conveyed to his home county by sheriff; passed second and third readings.
HB 185 - Road construction damage suit limitation. Clarifying amendment adopted; passed second and third readings.
HB 193 - Raising pharmacist license fees. Reported favorably.
HB 205 - Governmental reorganization commission. Postponed to 2/24.
HB 206 - Machinery identification marks. Amended to eliminate limiting date of July 1, 1951, contained in G.S. 14-401.4 (c), for applications of farm machinery users to obtain valid identification number when such number has been obliterated; passed second and third readings.
HB 207 - Renewing summons by endorsement. Amended to correct printing error in printed bill; passed second and third readings.
HB 212 - Defining wild boar. Passed second and third readings.
HB 248 - Trustees for adult incompetents. Postponed to 2/24.
HB 256 - Petition signatures in special proceedings. Passed second reading.
HB 261 - Cash bond forfeits. Amended to provide minimum period of 30 days before judgment absolute can be entered on cash bond; passed second and third readings.
HB 289 - Medical license fees. Reported favorably.
HB 348 - Girls inter-county basketball tournaments. Amended to make abrogation of state board's regulation state-wide and to authorize county boards of education in their discretion to permit use of public school gymnasiums for high school tournaments; passed three readings.

LOCAL BILLS

SB 79 - (Franklin) Changing school district bond act. Passed third reading.
SB 113 - (Sampson) Extending Salemburg limits. Received from Senate; sent to Local Government.
SB 122 - (Randolph) Rewriting Staley charter. Received from Senate; sent to Local Government.

HB 27 - (Rockingham) Reidsville election date. Reported favorably.
HB 92 - (Yancey) Burnsville pool room limitation. Passed second and third readings.
HB 161 - (Duplin) Reward for capturing whiskey stills, as amended in House 2/12 and Senate 2/19. Received from Senate for concurrence in Senate amendment; concurred.
HB 173 - (Yadkin) Fox hunting. Passed second and third readings.
HB 192 - (Tyrrell) Fox hunting. Passed second and third readings.
HB 221 - (Cumberland) Prohibiting deer hunting in certain townships. Amended to further limit territory in which deer hunting is prohibited to land south of state highway #24; passed second and third readings.
HB 242 - (Henderson) Drawing jurors. Passed second and third readings.
HB 273 - (Avery and Mitchell) Fox hunting. Passed second and third readings.
HB 285 - (Bertie) Bear hunting. Amended to make bill also apply to Tyrrell County; passed second and third readings.
HB 294 - (Dare) Bay rum prohibition exemption. Passed second and third readings.
HB 325 - (Granville) Drawing jurors. Passed second and third readings

Next session of House: For consideration of local bills only, 10:00 a.m., Saturday, February 21, 1953.

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INSTITUTE OF GOVERNMENT
Legislative Service

WEEKLY LEGISLATIVE SUMMARY

P. O. Box 1658 111 West Morgan St., Raleigh, N. C. February 21, 1953

NOTE: This is the sixth of a series of weekly summaries prepared by the legislative staff of the Institute of Government on the work of the North Carolina General Assembly of 1953. It is confined to discussions of matters of general interest and major importance.

* * * * * * * * * * * * *

The General Assembly waited for the Governor's budget message during this seventh legislative week and turned for diversion to other subjects, such as girls' basketball, automobile racing, and roasted oysters. Pamlico County officials and the state prison were hosts on Wednesday to legislators and other guests at an oyster roast at the prison; Wake County citizens turned out in force on Thursday to oppose legislation which would permit Sunday automobile races at the Southland Speedway; and both houses agreed on Friday that a regulation of the State Board of Education prohibiting girls' basketball teams from participating in tournaments outside their home counties was impractical, no matter how laudable the objective (Item: the regulation was overruled).

The Governor continued to confer with legislators in the mansion throughout the week while his budget message was being ironed out for Tuesday delivery. In the meantime it was becoming evident that much important legislation, including the legislative programs of several state departments, was being held up, possibly pending approval by the chief executive.

The rate of bill introduction is ahead of 1951 in the House, slightly behind in the Senate. If legislation of state-wide interest is slow reaching the capitol, it can be said that local legislation is picking up. Through Friday 266 local bills had been introduced as compared with 191 at the same time last session. Speculation next week will center on the Senate, which now has a rule prohibiting the introduction of local bills after March 1. To date 56 local bills have been introduced in the Senate, in comparison with over 250 for the entire session in 1951.

Appropriations

Since January 21 the 89-member joint appropriations committee has been sitting three afternoons each week to hear departments, institutions, and agencies explain why they should get a bigger slice of the pie. By Wednesday, February 18, all had been heard. Total requests over and above the $638,000,000 in appropriations recommended by the Advisory Budget Commission reached $145,386,074 from the General Fund and about $118,000 from the Highway Fund. This total includes $110,595,617 for permanent improvements (of which $60,000,000 was requested for school building purposes) and $34,790,457 for operating funds. Next week it is expected that the Governor's budget message will be read to the legislature on Tuesday, after which the appropriations committees will begin wielding the paring knife. As yet no one knows whether there will be a sub-committee appointed to make the first draft of the ultimate biennial money bill. That, too, may be decided next week.

Finance

Despite implications in the $145 million additional appropriations requests, some legislators continue to direct their attention toward possible tax reductions with emphasis this week on the income tax. Two bills envision increased deductions for gifts made by individuals to organizations operated exclusively for religious, charitable, literary, scientific and educational purposes. Estimated to reduce state revenues by $500,000 per year, Rep. Falls' HB 309 would permit individuals to deduct up to 20% (instead of only 10% as now provided) of net income for gifts and contributions; still greater deductions would be allowed by Sen. Shuford's SB 161 which would increase allowable deductions from 10% of net income to 20% of gross income for such gifts. Another bill (HB 302) would permit deductions of commutation expenses in computing taxable net income. Designed to attract mining industries to the state but with little immediate effect on state revenues anticipated, SB 144, endorsed by 18 senators, would adopt the federal rule of depletion allowances in permitting deductions for depletion of mines, natural deposits and oil and gas wells. To adjudicate questions of liability for state and local taxes a Tax Appeals Commission would be established under provisions of HB 326. The joint finance committee can be expected to withhold final action on all tax bills pending the Governor's budget message and final determination on appropriations.

Education

Two more bills concerning subjects mentioned in the Governor's inaugural message were introduced this week. SB 124 appropriates $339,720 for each year of the biennium to set up a program of driver training and safety education in all public high schools. HB 367 attacks the school consolidation problem and proposes a solution under which most of the schools closed in recent years could be reopened. An able subcommittee was appointed by Chairman Maddrey of the House education committee to consider all consolidation bills introduced and draft a state-wide bill. The subcommittee now has under consideration HB 84 (Bertie) and HB 310 (Moore), designed to permit reopening of closed or consolidated schools, and will now receive HB 367.

Local Government

Another proposal giving county commissioners authority to fix county employees' salaries has reached the General Assembly, this one with statements that possible unconstitutional delegation of legislative power had been avoided by limiting county commissioners' power to reduce or increase salaries to 20% per fiscal year. Meantime the city of Raleigh requested annual appropriations of $60,000 to compensate the city for fire and police protection and garbage collection for non-taxable state property.

Judges and Court Procedure

The General Assembly has not forgotten our judges and solicitors. Bills introduced this week would raise salaries of supreme court justices from $14,400 to $16,000 (with an extra $500 for the chief justice), superior court judges from $10,000 to $12,000, superior court solicitors from $6500 to $7150 (plus an expense allowance increase of $150), and emergency judges from $50 to $100 weekly. HB 163, a Judicial Council bill endorsed by the Governor to add six additional superior court resident judges, passed second reading in the House on Friday. Rep. Womble of Wake objected to third reading of the bill, stating that no provision was made to relieve the crowded docket in Wake County, where it sometimes takes five years to get a civil case tried.

The Judicial Council (assigned by law the duty of continuous research on means to improve court procedure and administration) has already seen two of its recommended bills pass both houses. However, the General Statutes Commission (assigned by law the duty of continuous research to revise and correct the statutory law) has seen four of its bills reported unfavorably, although five of the original 17 have passed both houses and five more have passed the Senate.

Miscellaneous

The smooth progress of the Governor's highway reorganization bill was jarred slightly as it reached the floor of the House on Thursday. A spirited, if futile, show of opposition by Rep. Kiser, culminating in the first call for the "ayes and noes" of the 1953 session, was crushed as SB 88 was passed with only eight dissenting votes. The bill was ratified on Friday and is now law. Another administration measure, HB 205, creating a commission to study and recommend changes in the state governmental structure, was reported favorably by House Judiciary 1, but floor consideration was postponed until next Tuesday. Agriculture got into the "commission" picture on Monday when a bill was introduced authorizing the Governor to appoint a seven-member commission to make recommendations to the 1955 General Assembly on locating and financing a produce marketing center. Attempts to deliver the "coup de grace" to the ailing Ku Klux Klan appeared simultaneously in both House and Senate on Wednesday. HB 306 and SB 140 clamp strict regulations on all secret societies in the state in terms broad enough to include college fraternities and the Communist Party.

INSTITUTE OF GOVERNMENT

LEGISLATIVE SERVICE

GENERAL ASSEMBLY OF NORTH CAROLINA

DAILY BULLETIN

P. O. Box 1658 111 West Morgan St., Raleigh, N. C. Telephone 3-5515

BULLETIN NO. 34
Monday, February 23, 1953

NOTE

The Senate convened at 9:30 a.m., Saturday, February 21, to consider local bills only. No bills were introduced; calendar action taken is included in this bulletin.

Session: Senate -- 8:00 p.m.

PUBLIC BILLS INTRODUCED -- SENATE

SB 170 - Introduced by Rankin

"To amend Article 22 of Chapter 143 of the General Statutes so as to clarify and fix the terms of office of the members of the governing board of the North Carolina State Ports Authority and to further define the powers of the authority." [Rewrites G.S. 143-216 (creation of State Ports Authority) to provide for a 7-member governing board (instead of 9-member board as at present) to be appointed by Governor on or after June 1, 1953 for 4-year terms (instead of 6-year terms), beginning June 1, 1953. Terminates terms of office of present members at 12 midnight, May 31, 1953. Deletes provision that director of Department of Conservation and Development be an ex-officio member. Rewrites subsections A and G of G.S. 143-217 to add development and improvement of inland ports and facilities to duties of Authority. Rewrites first sentence of subsection D of G.S. 143-218 to direct board, with approval of Governor, to appoint on or after June 1, 1953, an executive director to serve at pleasure of board. Salary of director is to be fixed by Governor with approval of Advisory Budget Commission instead of by board with Governor's approval as at present. Empowers director (instead of board as at present) to appoint and dismiss such number of employees as deemed necessary by board. Compensation of employees is to be fixed by board as at present. Adds G.S. 143-227.1 to make provisions of Art. 3, G.S. Ch. 143, relating to purchase of supplies, materials and equipment by State, applicable to State Ports Authority.] To Conservation and Development.

SR 271 - (Joint Resolution) Introduced by Pate

"Fixing the time and place of a joint session of the Senate and House of Representatives to hear the budget message from his excellency, Governor William B. Umstead." [Fixes 12 noon, February 24, in House chamber as time and place of joint session to hear Governor's budget message.] Passed three readings and sent to House.

SB 172 - Introduced by Bason

"To amend Chapter 20 of the General Statutes relative to failure to pay drafts given in payment for motor vehicle registration plates." [G.S. 20-94 provides that where one owner purchases motor vehicle licenses in excess of $400, half may be deferred until June 1, with commissioners approval, upon execution of draft for that amount plus carrying charge. Using plates so purchased after June 1 without having made provision for payment of draft is misdemeanor. Bill adds that no further plates be issued to person executing such a draft after due date of any such draft so long as such draft remains unpaid.] To Public Roads.

SB 173 - Introduced by Bason

"To amend Chapter 20 of the General Statutes relative to the registration and license fees for house trailers." [Amends G.S. 20-87 to add that registration and license fee for house trailers is $3.00 for license year or portion thereof. Fee is in lieu of other fees levied on house trailers by G.S. 20-87 and 20-88. Effective Jan. 1, 1954 and applies to registrations and licenses for years beginning after Dec. 31, 1953.] To Public Roads.

SB 174 - Introduced by Bason

"To amend Chapter 20 of the General Statutes so as to exempt vehicles transporting students for the State Board of Education from the for hire requirements of the motor vehicle laws." [As title indicates, amends G.S. 20-38(2)(q).] To Public Roads.

SB 175 - Introduced by Bason

"To amend Chapter 20 of the General Statutes to provide for payment of license fees when motor vehicles are operating with gross loads in excess of licensed weight." [Amends G.S. 20-96 to provide that any owner failing to pay license fee for overload must pay penalties prescribed in G.S. 20-118 and "the normal tax levied by this article" (G.S. Ch. 20, Art. 3).] To Public Roads.

SB 176 - Introduced by Bason

"To amend Chapter 20 of the General Statutes relative to the altering or changing of engine or other identifying numbers on motor vehicles." [G.S. 20-109 provides that no person may wilfully alter or destroy an engine or other number of a motor vehicle or place any such number on a motor vehicle, except one assigned thereto by department. Bill provides that no owner may permit such acts.] To Public Roads.

LOCAL BILLS INTRODUCED -- SENATE

SB 177 - (Alexander) Introduced by Chapman

"To include Alexander County in the provisions of Section 42-27 of Volume 2A of the General Statutes of North Carolina." [G.S. 42-27 provides that any tenant or cropper who enters contract for rental of land for current or ensuing year and wilfully neglects or refuses to perform terms of contract without just cause forfeits his right of possession. This bill makes G.S. 42-27 applicable to Alexander County.] To Judiciary 1.

SB 178 - (Alexander, Burke, Caldwell and Catawba) Introduced by Chapman

"To make it unlawful to dispose of refuse, garbage and waste matter by throwing same into Lake Oxford or Hickory." [Makes it a misdemeanor to commit act indicated in title. Defines Lake Oxford or Hickory as that body of water impounded by Oxford Station Dam on state highway #16 between Taylorsville and Conover.] To Conservation and Development.

SENATE CALENDAR ACTION

PUBLIC BILLS

SB 44 - Delegating county welfare board powers, as amended in House 2/19. Concurred in House amendment.

SB 57 - Committing mentally disordered, as amended in House 2/20. Received from House for concurrence in House amendment 2/21; concurred, 2/23.

SB 141 - Authorizing Sunday process service. Passed second and third readings.
SR 171 - (Joint Resolution) Budget message joint session. Passed three readings.

HB 174 - Governor's emergency war powers, as amended in House 2/11. Passed second and third readings.
HB 181 - Soil conservation district boundary changes. Received from House; sent to Agriculture, 2/21.
HB 204 - Michie supplements prima facie law. Passed second and third readings.
HB 212 - Defining wild boar. Received from House; sent to Wildlife, 2/21.

LOCAL BILLS

SB 129 - (Wake) General county court. Re-referred to Judiciary 2, 2/21.

HB 27 - (Rockingham) Reidsville election date. Received from House; sent to Election Laws and Senatorial Districts.
HB 80 - (New Hanover) Superior court assistant solicitor, as amended in House 2/5. Passed second and third readings, 2/21; recalled from enrolling office.
HB 81 - (New Hanover) Establishing law library. Passed second and third readings, 2/21; recalled from enrolling office.
HB 92 - (Yancey) Burnsville pool room limitation. Received from House; sent to Counties, Cities and Towns, 2/21.
HB 136 - (Vance) Grand jury selection. Reported favorably.
HB 147 - (Columbus) Grand jury selection. Passed second and third readings, 2/21.
HB 159 - (Caswell) Prohibiting palmistry. Amended to make bill applicable to Franklin County; passed second and third readings.
HB 173 - (Yadkin) Fox hunting. Received from House; sent to Wildlife, 2/21.
HB 192 - (Tyrrell) Fox hunting. Received from House; sent to Wildlife, 2/21.
HB 242 - (Henderson) Drawing jurors. Received from House; sent to Courts and Judicial Districts, 2/21.
HB 243 - (Moore) Register fees, as amended in House, 2/19. Received from House; sent to Salaries and Fees, 2/21.
HB 273 - (Avery and Mitchell) Fox hunting. Received from House; sent to Wildlife, 2/21.
HB 294 - (Dare) Bay rum prohibition exemption. Received from House; sent to Propositions and Grievances, 2/21.
HB 325 - (Granville) Drawing jurors. Received from House; sent to Judiciary 2, 2/21.

Next session of Senate: 12 noon, Tuesday, February 24, 1953.

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BULLETIN NO. 34
Monday, February 23, 1953

NOTE
The House convened at 10:00 a.m., Saturday, February 21, to consider local bills only. No bills were introduced; calendar action taken is included in this bulletin.

Session: House -- 8:00 p.m.

PUBLIC BILLS INTRODUCED -- HOUSE

HB 380 - Introduced by Barnett and Uzzell
"Amending G.S. 121-6 relating to the preservation and destruction of public records." [Removes from custodian of any public records any liability which such custodian might incur from destruction of such records when destruction is accomplished in accordance with procedure set forth in cited section (requires, among other things, approval of State Department of Archives and History).] To Judiciary 2.

HB 387 - Introduced by White of Chowan
"To authorize the Department of Conservation and Development to pay the remaining funds as appropriated by Chapter 788 of the 1951 Session Laws on a note held by the North Carolina Society for the Preservation of Antiquities, the same being indebtedness of the James Iredell Home." [As title indicates, authorizes payment of $1490 (part of $1500 appropriated to C & D Department by cited chapter to pay purchase money mortgage on property donated to department for historical site) to pay off note issued by donor of site property, provisions for payment of which were inadvertently omitted from bill authorizing payment of mortgage.] To Appropriations.

HB 388 - Introduced by Whitmire
"To provide for the determination of the issue of paternity in all prosecutions of a parent for wilful neglect or refusal to support his or her illegitimate child irrespective of dismissal or verdict of not guilty on the issue of wilful neglect or refusal to support." [As title indicates; applies in criminal prosecutions under G.S. 49-2, and provides for determination of either paternity or maternity, which will be binding upon State and defendant in any later prosecution on same charge in any county.] To Judiciary 1.

HB 389 - Introduced by Whitmire
"To provide that the offense of wilful failure or refusal to support child, legitimate or illegitimate, shall be deemed to have been committed in this state if such child is living in North Carolina at the time of such wilful neglect or refusal to support." [As title indicates; applies only to failure of father to support.] To Judiciary 1.

HB 390 - Introduced by Whitmire
"To amend Section 50-16 of the General Statutes so as to permit the hearing of a motion for custody of children under said section." [Adds to G.S. 50-16, which relates to actions for alimony without divorce, provision that plaintiff or defendant may move in such action for custody of children, in lieu of using habeas corpus petition, and judge may award custody on the motion. Habeas corpus petition may be used to determine custody if filed before such motion.] To Judiciary 1.

HB 391 - Introduced by Allen of Granville

"To amend G.S. 105-168 relating to sales and use tax on motor vehicles and to amend G.S. 105-220 relating to the use tax on motor vehicles." [Effective July 1, 1953 amends G.S. 105-168 to change the use tax levied on the purchase price of all motor vehicles as follows: (1) where purchase price is less than $500, a 3% tax; (2) where purchase price exceeds $500, a 1% tax or a $15 tax, whichever is greater. Amends G.S. 105-220 to make same rates apply for compensating use tax. Deletes from G.S. 105-168 provision that where motor vehicle chassis is purchased separately from body which is thereafter installed thereon, maximum tax applies only to sale of chassis and no tax is levied on the body.] To Finance.

HB 392 - Introduced by Rodman

"Amending G.S. 20-38(r)(1) by rewriting the last proviso therein." [Rewrites cited proviso to provide that "for hire" vehicles shall not include any vehicle which carries only United States mail pursuant to contract made with U. S. prior to July 1, 1948 and renewals of such contracts. Law now provides that such vehicles carrying mail pursuant to a contract in effect at time proviso adopted (1951) were not to be considered "for hire" vehicles.] To Public Utilities.

HB 395 - Introduced by Powell and Long

"To apportion the members of the House of Representatives among the several counties of the state." [Rewrites G.S. 120-2 to reapportion membership of House of Representatives. Membership remains same as presently constituted except that Pitt and Cabarrus Counties are to be entitled to one representative instead of two, and that Alamance and Rockingham Counties are to be entitled to two representatives instead of one.] To Senatorial Districts.

LOCAL BILLS INTRODUCED -- HOUSE

HB 377 - (Gates) Introduced by Askew

"Amending Chapter 1155, Session Laws of 1949, so as to define more accurately the Eure School District for purposes of membership on the board of education of Gates County." [As title indicates, defines district #2 as territory within limits of Eure School District as constituted in 1932.] To Education.

HB 378 - (Forsyth) Introduced by Womble

"Amending Chapter 272 of the Public-Local Laws of 1929 creating a peace officers relief fund for the city of Winston-Salem and the County of Forsyth." [Eliminates provisions designating Winston-Salem treasurer as ex-officio treasurer of the Winston-Salem and Forsyth County Peace Officers' Protective Association and authorizing appointment of association secretary at salary of $25 per month. Provides for appointment of association treasurer by executive board, to serve at pleasure of board and to receive salary of $25 per month.] To Judiciary 1.

HB 379 - (Rowan) Introduced by Barnett and Uzzell

"Amending Chapter 366, Session Laws of 1945 relating to the fees for serving civil process of the justices of the peace of Rowan County." [Raises fee payable to the sheriff and any constable or deputy sheriff for serving civil process of a justice of the peace in Rowan County from $1 to $2.] To Judiciary 2.

HB 381 - (Lee) Introduced by Wicker

"To rewrite G.S. 153-4 relating to the election and number of members of county boards of commissioners." [Applicable to Lee County only, amends cited section to provide staggered four year terms for five county commissioners instead of non-staggered two-year terms. Initial terms for commissioners elected at next general election are to be four years for two or three receiving highest vote, two years for remainder. Provisions of bill are inconsistent as to number chosen for four year terms.] To Local Government.

HB 382 - (Madison) Introduced by Ramsey

"Fixing fees to be collected by the register of deeds of Madison County." [Sets out detailed fee bill for register.] To Local Government.

HB 383 - (Madison) Introduced by Ramsey

"Fixing fees to be collected by the clerk of the superior court of Madison County." [Sets out detailed fee bill for CSC.] To Local Government.

HB 384 - (Clay) Introduced by Moore

"To adopt a song written by Mrs. Earl Standridge, of Hayesville, North Carolina, as the county song of Clay County." [Sets out verses of song proposed in title for adoption as county song.] To Local Government.

HB 385 - (Wilkes) Introduced by Eller

"To extend the territorial limits of Town of North Wilkesboro, North Carolina." [Amends town charter to include in corporate limits property described in bill.] To Local Government.

HB 386 - (Wilkes) Introduced by Eller

"To exempt certain volunteer firemen in Wilkes County from jury duty." [Beginning July 1, 1953, empowers CSC of Wilkes County to excuse from jury duty any town fireman whose name appears upon list of active municipal volunteer firemen in good standing with own fire department and N. C. Firemen's Association submitted by fire chiefs of Wilkesboro and North Wilkesboro on first day of January and July of each year.] To Judiciary 2.

HB 393 - (Pitt) Introduced by Worthington

"Relating to county hospitals being Chapter 506 of the Public Laws of 1945 and Chapter 933 of the Public Laws of 1947; and repealing Chapter 877 of the 1949 Laws same being an act to appoint trustees of the Pitt County Hospital." [Repeals Ch. 877, 1949 Session Laws, which appointed 15 trustees for Pitt County Hospital for staggered terms and provided for successors to be appointed by Pitt County Commissioners. Authorizes county commissioners: (1) to lease hospital and pertaining property to non stock, non profit corporation created to operate hospital; (2) to appoint trustees to operate such corporation; (3) to pay revenue from tax levied for support of hospital to trustees; (4) to appoint trustees to operate hospital if corporation is ever dissolved and property transferred back to county. Powers granted declared additional to general state law on hospital operation.] To Judiciary 2.

HB 394 - (Macon) Introduced by Dean

"To authorize the governing authority of Macon County to appropriate and to expend funds for the purpose of providing fire protection in Macon County, and to authorize municipalities in Macon County to answer fire calls outside their corporate limits." [Authorizes county commissioners to appropriate funds to aid any municipality or community in county in purchasing and maintaining fire fighting equipment and in providing fire protection within the county. Provides that (1) any municipal fire department in county may, in its discretion, answer fire calls to any place in county; (2) in answering such calls, municipality and its employees are deemed to be acting in governmental capacity and are entitled to same rights, authority, privileges and immunities afforded them in responding to calls within municipal limits; and (3) in permitting its fire department to answer such calls, municipality is deemed to be acting in exercise of governmental function as if exercising such functions within its corporate limits.] To Counties, Cities and Towns.

HOUSE CALENDAR ACTION

PUBLIC BILLS

SR 121 - (Joint Resolution) Marketing commission study. Received from Senate; sent to Agriculture.

SB 136 - Removing furnishings from legislative halls. Received from Senate; sent to Public Buildings and Grounds.

SR 171 - (Joint Resolution) Budget message joint session. Received from Senate; placed on calendar; passed second and third readings.

HB 163 - Two-judge superior court districts, as amended in House 2/20. Reconsidered vote by which bill passed second reading; re-referred to Judiciary 1.

HB 193 - Raising pharmacist license fees. Passed second reading.

HB 238 - Return of arrest warrants, as amended in House 2/16 and in Senate 2/20. Received from Senate for concurrence in Senate amendment; concurred.

HB 256 - Petition signatures in special proceedings. Amended to provide that petitioners in ex parte proceedings may make written application to CSC to be made petitioners (in addition to signing petition or written authority to attorney as originally provided in bill), and to make bill inapplicable to pending litigation; passed third reading.

HB 289 - Medical license fees. Passed second reading.

LOCAL BILLS

SB 116 - (Halifax) Roanoke Rapids inspection fees. Received from Senate; sent to Finance.

SB 120 - (Lee) Approving education board contracts. Received from Senate; sent to Education.

HB 27 - (Rockingham) Reidsville election date. Passed second and third readings, 2/21

Next session of House: 11:45 a.m., Tuesday, February 24, 1953.

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INSTITUTE OF GOVERNMENT

LEGISLATIVE SERVICE

GENERAL ASSEMBLY OF NORTH CAROLINA

DAILY BULLETIN

P. O. Box 1658 111 West Morgan St., Raleigh, N. C. Telephone 3-5515

BULLETIN NO. 35
Tuesday, February 24, 1953

Session: Senate -- 12 noon (including Joint Session)

PUBLIC BILLS INTRODUCED -- SENATE

SR 179 - (Joint Resolution) Introduced by Whitfield and others

"Accepting the invitation to the members of the legislature to visit Camp Lejeune." [Accepts invitation indicated in title for Thursday, March 12.] Passed three readings and sent to House.

SB 180 - Introduced by Scott and others

"To amend chapter 106 of the General Statutes of North Carolina to prohibit the feeding of raw or untreated garbage to swine in North Carolina and to provide for the licensing and regulation of garbage feeders and to establish minimum standards for the operation of garbage feeding establishments." [Citing fact that feeding of raw garbage to swine is chief cause of spread of vesicular exanthema (indistinguishable from foot and mouth disease except by laboratory and animal innoculation) and is a cause of other animal and human disease, bill provides as title indicates. Feeding garbage to swine is prohibited without first securing a permit (costing $1.00) to be renewed on or before July 1 of each year, from commissioner of agriculture. Prohibition does not apply to farmer feeding only household garbage to swine raised for own use. No permit may be issued or renewed in county or political subdivision in which local regulations prohibit garbage feeding. Permit may be refused or revoked upon finding that applicant or holder has violated provisions of bill. Sanitation regulations set require feeding platforms, rat and fly control measures and pre-feeding heating of garbage to at least 212 degrees F. for 30 minutes, regardless of previous processing, or treatment in other manner approved by commissioner of agriculture. Requires garbage feeders to keep permanent records as to treatment of garbage and of persons from whom swine are received and to whom sold for immediate slaughter. Authorizes commissioner's representative to enter public or private property at reasonable times to inspect these records and conditions relating to treatment of garbage and sanitation. Commissioner of agriculture is to enforce these provisions and, with consent of state board of agriculture, may cooperate with U. S. Bureau of Animal Industry in control of vesicular exanthema and may make and enforce necessary rules. Any person, firm or corporation knowingly violating bill's provisions or rules of board of agriculture may be enjoined from continuing violation and is guilty of misdemeanor and subject to fine or imprisonment or both in discretion of court, as is any officer or inspector wilfully failing to comply with bill's provisions. Effective 90 days after ratification.] To Agriculture.

SB 181 - Introduced by Long

"To amend Chapter 96, General Statutes of North Carolina, 1943, as amended, known as the employment security law, to provide for a further reduction in the rate of contributions and to extend and liberalize the refund provisions of said chapter and to further clarify certain provisions of said chapter." [Changes name of Unemployment Compensation Division of Employment Security Commission to Unemployment

Insurance Division. Provides for formal hearings on employer status and liability under employment security law, to be conducted by member of commission's legal staff in county where employer resides or conducts his business. Requires all employers doing business in N. C. to make available to the commission in this state all information deemed essential to administration of employment security law. Authorizes use of Employment Security Administration Fund (consisting of interest and penalties for delinquent employer contribution payments) for "incidental extensions, repairs, enlargements or improvements." Provides that employees on paid leave of absence or vacation are "employed" for purpose of determining liability or initial status of an employer. Re-defines "wages" to exclude payments by employer into trust or annuity funds for benefit of employees if such payments are exempted from federal income tax payment under Internal Revenue Code Section 165(a). Redefines "base period" as first four of last six calendar quarters immediately preceding first day of any individual's benefit year (payments are based upon compensation earned during base period). Deletes mandatory provision directing commission to assess and collect, immediately upon being informed by its officers and agents that such collection would be jeopardized by delay, any employer contributions due or to become due, and makes such immediate assessment and collection discretionary with commission. Provides that an employer who (1) hires a man who has previously worked during the year outside the state, or (2) acquires a new business and retains an employee who worked for the prior owner during the year, must not pay regular contributions on the portion of such employee's wages which, when added to wages earned by him during the year, exceed $3000 if prior employer paid contributions either in N. C. or in the other state where such employee worked, and if the experience account of the employer from whom a N. C. business has been acquired has been transferred to the new owner. Revises experience rating plan by changing from a partially-pooled type account to a plan pooling all funds in a single account in order to take advantage of federal conformity requirements. Under the new plan and under conditions now existing the reserve balance - payroll ratio (i.e. excess of employer contributions over benefit payments charged to such employer, divided by total payroll paid by such employer on which contributions were due) need only be 1.4% instead of the 2.5% required currently to qualify for reduced contribution rates. Provides, however, that four years of coverage prior to computation date, rather than the three now required, are prerequisite to reduced contribution rates, but grants reduced contribution rate to any employer who would have qualified for such reduction in 1953 under present 3 year coverage requirement. Changes from 15 to 30 days the time limit, following mailing date of statement of charges and notification of contribution date, within which voluntary contribution by employer will be given effect in computing such employer's contribution rate for ensuing year. Changes method by which benefits paid are charged against employers' accounts by eliminating requirement that all benefits paid to claimant employed by an employer during such claimant's base period be charged to such employers experience rating account and requiring instead that only those benefits paid subsequent to August 1, 1952, to claimants who have exhausted the maximum benefits to which they are entitled, or whose benefit years have expired, during the twelve months preceding computation date be charged to such account. Provides for automatic transfer of reserve account and contribution rate when a business (subject to the law) of a deceased person or insolvent debtor is transferred to an administrator, executor, receiver or trustee in bankruptcy. Rewrites refund provisions to permit refunds to be made within five years (instead of three) of last day of calendar year (instead of last day of quarter) with respect to which erroneous payment was made, and to permit refunds of payments erroneously made by employing units not actually subject to the law. Provides that, with respect to cases not now pending or arising hereafter, any purchaser of a business designated by the commission as a "seasonal business" and as such subject to special requirements may request cancellation of such seasonal status within 120 days after acquiring such business. Rewrites provisions making ineligible for benefit payments any person discharged for larceny or embezzlement in connection with his work who has confessed to or been convicted of such offense, to include persons who become unemployed under such circumstances, whether or not they were discharged.] To Retirement - Employment Security.

SB 182 - Introduced by **Bailey**
"Amending G.S. 113-104 relating to the manner of taking game birds or animals." (Amends G.S. 113-104 to make it unlawful to hunt on or from public highway unless hunter owns the land abutting on highway or has written permission from owner of such land.) To Wildlife.

SB 183 - Introduced by Bailey
"To amend Chapter 20 of the General **Statutes** so as to promote greater safety in the operation of the motor vehicles on the highways of this state." (Adds Part 9A to G.S. Ch. 20 (Motor Vehicles) to establish a motor vehicle inspection program. Makes it unlawful for any person, on or after July 1, 1954, to operate a motor vehicle registered in state or knowingly to permit operation of such vehicle owned by him unless vehicle is inspected within preceding 12 months by official inspection station and official inspection sticker is attached thereto. Purchasers of vehicles after July 1, 1954 have 10 days after purchase to have vehicle inspected. Does not apply to trailers and semi-trailers (licensed to carry gross weight of up to 2,500 lbs) **and** public school buses. Directs commissioner of motor vehicles to issue, on application a certificate designating such applicant an official inspection station if commissioner finds such applicant or his employees qualified and equipped to make required inspections. (Provides for self-inspection of vehicles if applicant is qualified to make inspection and owns 10 or more vehicles.) Certificates remain in effect until suspended or revoked by commissioner for failure to have proper qualifications or equipment, willful issuance of inspection stickers for use on unqualified vehicles or willful refusal to issue stickers for use on qualified vehicles. Commissioner must give at least 72 hours notice before revocation or suspension of a certificate; provides for appeal during which time certificate holder cannot operate as official inspection station. Commissioner may require $1,000 bond before issuing new certificate after revocation or suspension. Adds G. S. 20-137.4 to provide for official inspection stickers to be distributed by commissioner, showing approval or disapproval. Provides for 25¢ fee to be paid by inspection station to commissioner for each sticker issued to such station unless sticker is for disapproval. (Government agencies designated as self-inspectors do not pay fee.) Fees are to be used under direction of assistant budget director. Requires inspection stations on request and at proper time and place, to determine if motor vehicle complies with following requirements: (1) proper licenses, (2) steering assembly in good working order, (3) proper lights conforming to requirements of G.S. 20-129, G.S. 20-131, and G.S. 20-132, (4) brakes conforming to requirements of G.S. 20-124, (5) horn in good working order conforming to G.S. 20-125, (6) rear view mirror conforming to G.S. 20-126, and (7) windshield wiper conforming to G. S. 20-127. Provides for up to $1 inspection charge. Makes it a misdemeanor punishable by fine up to $50 or imprisonment up to 30 days **for (1)** any person to possess any **unauthorized inspection stickers,** (2) any person (except official inspection station employees) to affix inspection stickers on vehicles, (3) inspection station knowingly to affix stickers on unqualified vehicles, (4) any person (except inspection station employees) to remove stickers from vehicles, and (5) for any person to make, issue, knowingly possess or affix counterfeit inspection stickers or knowingly to operate vehicle to which counterfeit sticker is affixed. Provides procedure for disapproval of vehicles by inspection station. Inspection station must give statement of defects to owner to have corrected before disapproval sticker can be removed, except that owner may have vehicle inspected by another inspection station before making repairs. Makes it unlawful to operate vehicles with disapproval stickers except to garages of owner's choice not over 25 miles from inspection station for correction of defects or to place where customarily kept when not in use. Inspection station must report to department within 24 hours reasons for disapproval of any vehicle.) To Judiciary 2.

SB 184 - Introduced by Williams

"To amend G.S. 105-149, relating to exemptions from net income allowable to widows." (Amends G.S. 105-149 (b) to add that $2000 is to be deducted from net income of widow who is head of and maintains a household.) To Finance.

LOCAL BILLS INTRODUCED --SENATE

None.

SENATE CALENDAR ACTION

PUBLIC BILLS

SR 102 - (Joint Resolution) School law study commission. Reported favorably.
SB 147 - Increasing widows and children allowances. Reported favorably.
SB 157 - Court term for trying issues joined. Reported favorably.
SR 179 - (Joint Resolution) Accepting Lejeune invitation. Passed three readings.

HB 34 - Educational institution licenses. Reported favorably.
HB 184 - Commitment of mentally ill, as amended in House 2/20. Received from House; sent to Mental Institutions.
HB 185 - Road construction damage suit limitation, as amended in House 2/20. Received from House; sent to Public Roads.
HB 206 - Machinery identification marks, as amended in House 2/20. Received from House; sent to Public Roads.
HB 207 - Renewing summons by endorsement, as amended in House 2/20. Received from House; sent to Judiciary 1.
HB 259 - Education board surplus property sale. Reported favorably.
HB 261 - Cash bond forfeits, as amended in House 2/20. Received from House; sent to Judiciary 1.

LOCAL BILLS

SB 122- (Edgecombe) Increasing sheriffs pay. Reported favorably.
SB 123 - (Johnston) Smithfield police commissioner. Reported favorably as to committee substitute.
SB 125 - (Forsyth) Tax payment discounts. Reported favorably.
SB 127 - (Bladen) Increasing Bladenboro commissioners. Reported favorably.
SB 139 - (Gaston) Superior court concurrent criminal jurisdiction. Reported favorably.
SB 152 - (McDowell) Transferring historical records. Reported favorably.
SB 155 - (Gaston) School election registration. Reported favorably.
SB 162 - (Catawba) County commissioners pay. Reported favorably.
SB 165 - (Davidson) Thomasville school property transfer. Reported favorably; postponed to 3/2.
SB 167 - (Franklin) Louisburg street conveyance. Reported favorably.
SB 169 - (Durham) Renaming Durham tax collector. Reported favorably.
SB 177 - (Alexander) Dispossessing tenants. Reported favorably as amended.

HB 53 - (Rockingham) CSC and register fees. Reported favorably.
HB 56 - (Guilford) Jamestown charter amendment. Reported favorably.
HB 80 - (New Hanover) Superior court assistant solicitor, as amended in House 2/5. Reconsidered vote by which bill passed third reading; placed on calendar; passed third reading.
HB 81 - (New Hanover Establishing law library. Returned to enrolling office.
HB 136 - (Vance) Grand jury selection. Passed second and third readings.
HB 187 - (Rutherford) Reconveyance of school land. Reported favorably.
HB 198 - (Rutherford) School gymnasium construction. Reported favorably.
HB 208 - (Caldwell) Lenoir school trustees election, as amended in House 2/12. Reported favorably.

HB 221 - (Cumberland) Prohibiting deer hunting in certain townships, as amended in House 2/20. Received from House; sent to Wildlife.
HB 230 - (Cumberland) Transferring ABC funds for annex. Reported favorably.
HB 241 - (Chowan) Delinquent tax transfer. Reported favorably.
HB 243 - (Moore) Register fees, as amended in House 2/19. Reported favorably.
HB 244 - (Moore) Clerks fees. Reported favorably.
HB 249 - (Montgomery) Mount Gilead water system. Reported favorably.
HB 263 - (Cherokee) JP fees. Reported favorably.
HB 269 - (Wake) County water and sewer lines. Reported favorably.
HB 270 - (Wake) TB sanatorium managers. Reported favorably.
HB 272 - (Wake) Officials salaries. Reported favorably.
HB 274 - (Pender) Burgaw police jurisdiction extension. Reported favorably.
HB 276 - (Granville) Oxford city hall sale. Reported favorably.
HB 277 - (Granville) Oxford mayor court solicitor. Reported favorably.
HB 278 - (Jones) Validating education board lease. Reported favorably.
HB 279 - (Davidson) Lexington utilities commission finances. Reported favorably.
HB 282 - (Alleghany) Clerk salary. Reported favorably.
HB 283 - (Cumberland) Public drunkenness. Reported favorably.
HB 285 - (Bertie) Bear hunting, as amended in House 2/20. Received from House; sent to Wildlife.
HB 286 - (Bertie) Reactivating town of Bertie. Reported favorably.
HB 297 - (Person) Officials salaries. Reported favorably.

BILLS RATIFIED

SB 79 - (Franklin) Changing school district bond act.

HB 25 - (Pamlico) Revaluation bond issue.
HB 45 - (New Hanover) Carolina Beach referendum, as amended in House 2/5.
HB 103 - (Duplin) Amending Calypso charter, as amended in House 2/6.
HB 122 - (Pender) Veterans service officer levy increase.
HB 161 - (Duplin) Reward for capturing whiskey stills, as amended in House 2/12.
HB 188 - (McDowell) Firemen jury duty exemption.
HB 348 - Girls inter-county basketball tournaments as amended in House 2/20. (Identical with SB 163)

Next session of Senate: 12 noon, Wednesday, February 25, 1953.

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SUMMARY OF GOVERNOR UMSTEAD'S BUDGET MESSAGE

Read to a joint session of the General Assembly
at 12 noon, February 24, 1953.

In his opening remarks Governor Umstead commended the Director of the Budget and Advisory Budget Commission for their unselfish and devoted service to the state in considering appropriation requests and in preparing the budget report and the two biennial appropriations bills. Noting that he did not attend all commission hearings and was not present when estimates were determined, the Governor stated that the budget was not the work of the present administration and that it was his duty to advise of changes he deemed necessary. The recommendations of the Governor, together with his observations on the State's fiscal situation, are summarized in order presented.

Maintenance Appropriations

The following appropriations were recommended for inclusion in the Maintenance Appropriations Bill:

(a) "Some additional pay" for school teachers in addition to the 10% increase now recommended in bill.

(b) Funds to employ attendance officers sufficient to enforce the school attendance law effectively and for necessary clerical assistance, services and supplies.

(c) Funds for driver training and safety education in high schools throughout the state.

(d) Additional funds for vocational education and for office of State Superintendent of Public Instruction.

(e) Funds for payment of at least $50 per month to employees who had been in State employ for not less than 20 years at time retirement system went into effect and who are now receiving retirement payments.

(f) Additional funds for operating mental institutions, termed as absolutely necessary from humanitarian standpoint and for tremendous savings in years to come.

(g) Additional funds for operating N. C. Ports Authority. Unless import and export trade is developed at Wilmington and Morehead city, annual deficits to be paid by the State will continue. Skilled personnel and advertising are absolutely necessary to develop this trade.

(h) Funds for making engineering study for development and utilization of inland ports and waterways.

(i) Additional funds necessary to carry on essential agricultural research and effective forestry program, including adequate fire protection.

(j) Funds for additional revenue agents, auditors and necessary personnel required by Revenue Department.

(k) Additional funds necessary to carry on an effective stream pollution program.

Other important items requested deserve careful consideration from the General Assembly.

Cash Operating Fund

The cash operating fund (about $17.5 million) in the appropriations bill is less than 5% of General Fund appropriations for the next biennium. This fund is essential in view of uncertainty of future conditions. It is wise to have money available at all times to meet state obligations, and the fund guarantees, to extent of amount involved, that teachers and state employees will receive pay in full and on time and that all functions of state government can continue without interruption.

Fiscal Situation

Since no amendments to Revenue Bill were recommended by the Advisory Budget Commission, the Governor presented his views on state fiscal policy for the next biennium and emphasized that the State is under legal compulsion to operate under a balanced budget. General Fund surplus anticipated to be available on June 30, 1953 has been incorporated in the Appropriations bills; thus appropriations for next biennium must be within limits of available revenue. Under present conditions estimates of anticipated revenue under the present tax structure for next biennium are realistic and as high as we can safely go.

Public School Bonds

The need for school building construction has not yet been met, and the necessary facilities must be provided to protect and preserve our public school system. Under the State Constitution and court decisions equal school facilities must be provided without discrimination. "I recommend that a bond issue be submitted to the people in the sum of $50 million for grants in aid to school units and that a sound formula be worked out for its distribution which will be fair and at the same time meet the requirements of need and ability to pay." This amount may not be sufficient to provide all facilities necessary; but it is as much as can be expended wisely in next two years, and, if properly used, will no doubt result in large additional expenditures by counties and towns. "I emphasize that this proposal for grants in aid to the counties is not intended to relieve the counties of their primary responsibility to provide adequate school facilities, without discrimination."

Mental Institutions

The Governor referred to his previous statements that adequate funds are not available to provide training schools for feeble minded white and Negro children or to construct necessary facilities at the various mental institutions. Based on careful investigation and from the best information available, $22 million will be required to provide the necessary facilities. "I, therefore, recommend that the General Assembly submit a bond issue to the people for this amount." The amount recommended is about $1 million less than total estimated cost.

Institutional Building Bonds

The Governor referred to his inaugural message which stated that lack of available funds would prohibit any large-scale building program at state educational and other institutions. "However, after careful investigation I have found that there are some pressing and essential needs which should be provided now." The approximate cost of these needs will be about $15 million, and "I, therefore, recommend that bonds in this amount be authorized by the General Assembly."

* * * * * * * * * *

Items totalling approximately $5.7 million for improvements at mental institutions are included in the Permanent Improvement Appropriations Bill. Since these items have been included in the recommended bond program for mental institutions, $5.7 million will be available for other purposes if the General Assembly approves the bond issue.

The total sum of the three bond issues recommended is $87 million which will require about $4.6 million annually for debt service. If the General Assembly finds that this sum, together with costs of other additional items recommended and other items the General Assembly may find necessary, cannot be financed with funds estimated to be available for next biennium, then the General Assembly is referred to the Governor's inaugural statement with reference to taxes. (In his inaugural message Governor Umstead said: "If the General Assembly finds that a realistic estimate of revenues for the next biennium will not be sufficient to meet properly the essential needs of the State, including a reasonable increase for our teachers, then, instead of new taxes or increased rates, I suggest that the schedule of exemptions under the sales tax be revised.")

Conclusion

"I earnestly seek your support of this program which I feel is imperative to meet the requirements of a growing state during the next two years. Our responsibility cannot be avoided....We must continue to increase our talents and tools for the further sound development of North Carolina."

* * * * * * * * * *

The Governor attached to his budget message itemized permanent improvements projects to be financed from proceeds of the proposed bond issues. These recommendations are summarized below according to the institutions and agencies which will benefit.

Permanent Improvements other than Mental Institutions

Educational Institutions		
University of North Carolina	$1,001,000	
State College	1,595,000	
Woman's College	285,000	
East Carolina College	1,880,000	
A. and T. College	2,090,000	
Western Carolina Teachers College	690,000	
Appalachian State Teachers College	664,100	
Winston-Salem Teachers College	75,000	
Elizabeth City State Teachers College	450,000	
Fayetteville State Teachers College	184,400	
North Carolina College at Durham	1,800,000	
North Carolina School for the Deaf	94,500	
Total Educational Institutions		$10,809,000
North Carolina Sanatoria		
McCain	175,000	
Wilson	600,000	
Total Sanatoria		$775,000
Correctional Institutions		
State Home and Industrial School for Girls	100,000	
Morrison Training School	30,000	
Total Correctional Institutions		130,000
Board of Public Buildings and Grounds and Commissions		
Board of Public Buildings and Grounds	$926,500	
N. C. State Commission for the Blind	120,000	
N. C. Armory Commission	239,500	
Medical Care Commission	2,000,000	
Total Board of Public Buildings and Grounds and Commissions		$3,286,000
Grand Total - Permanent Improvements other than Mental Institutions		$15,000,000

Mental Institutions		
State Hospital at Raleigh	$4,398,450	
State Hospital at Morganton	2,925,000	
State Hospital at Goldsboro	5,050,000	
Caswell Training School	1,514,000	
State Hospital at Butner	4,582,550	
Training School for Feeble-minded White Children	4,500,000	
Total Mental Institutions		$22,970,000
Public Schools		
Grants in Aid		$50,000,000
Total Permanent Improvements Recommended		$87,970,000

BULLETIN NO. 35
Tuesday, February 24, 1953

Session: House -- 11:45 a.m. (12 noon Joint Session)

PUBLIC BILLS INTRODUCED -- HOUSE

HB 396 - Introduced by Etheridge

"To amend Chapter 257 of the Public Laws of 1939 and Chapter 475 of the Session Laws of 1943, authorizing the Cape Hatteras Seashore Commission, with the approval of the Governor and the Council of State, to transfer to the National Park Service of the United States funds for the acquisition of land in the National Seashore Recreational Area."[Amends Sec. 10, Ch. 257, 1939 Public Laws, as amended by Ch. 475, 1943 Session Laws, to authorize N. C. Cape Hatteras Seashore Commission to pay funds (appropriated for land acquisition in Cape Hatteras area) to U. S. National Park Service on execution of agreement by U. S. Secretary of Interior that money plus equal or greater amount will be expended to acquire land within National Seashore Recreational Area.] To Appropriations.

HB 398 - Introduced by O'Herron

"To amend Chapter 96, General Statutes of North Carolina, 1943, as amended, known as the employment security law, to provide for a further reduction in the rate of contributions and to extend and liberalize the refund provisions of said Chapter and to further clarify certain provisions of said Chapter." [Identical with SB 181, digested in the Senate section of today's bulletin.] To Employment Security.

HB 399 - Introduced by Edwards

"To amend Chapter 113 of the General Statutes relating to the appointment and duties of the director of the Department of Conservation and Development."[Amends G. S. 113-9 to make director of Conservation and Development serve at pleasure of Governor, instead of for term not to exceed Governor's term and until successor qualifies, and to serve under direction and supervision of C & D Board, instead of under supervision of Board. Adds the phrase "under the direction" of Board to G.S. 113-10, which relates to duties of the director. Rewrites G.S. 113-12 to permit director to appoint heads of divisions, experts, and assistants as necessary, and with Board approval, assign appropriate duties to appointees. (This adds reference to division heads, and eliminates specific references to appointing and designating duties of State Forester and Geologist.) Eliminates from G.S. 113-15 requirement of direction and approval by budget director of nationwide advertising of state by C.& D Department. Amends G.S. 113-129 to specify that director of C & D is to appoint commercial fisheries commissioner to serve under direction and supervision of and report as required to director (instead of appointment by, and with responsibility and semiannual reports to Board). Eliminates 4-year term for commercial fisheries commissioner.] To Conservation and Development.

HB 403 - Introduced by Goodman of Mecklenburg and others

"To amend the workmen's compensation act so as to provide for the payment of compensation and medical benefits for life in brain injury cases." [Provides that compensation including reasonable medical, hospital and other treatment, be paid for life, (regardless of 400 week or $8000 limitation on benefit payments) to all persons suffering total disability as the result of paralysis or loss of mental capacity as the result of brain injury; and that in event of death of any such person resulting from such injury, before payments have been made for 350 weeks or totalling $8000, payments (including $200 funeral benefit) will be continued for remainder of 350 weeks or until $8000 has been paid. Amends G.S. 97-40 and adds G.S. 97-40.1 to rewrite provisions governing Second Injury Fund and payments therefrom (now contained in G.S. 97-40) and to permit Industrial Commission, in its discretion, to make payments provided above from Second Injury Fund where such payments would have become due since April 4, 1947, employer's liability for compensation and treatment expense has ended, injury occurred prior to effective date of this act, and last payment of compensation was made after January 1, 1941. In any case where commission grants such compensation from the Fund, it may also authorize payment of medical, nursing, hospital, and other treatment expenses "incurred prior to date compensation is allowed and after employer's liability has ended" to extent funds in Second Injury Fund reasonably permit without jeopardizing second injury payment program. If Fund is insufficient to pay both compensation and treatment expenses, commission is authorized to pay treatment expenses first and compensation thereafter to extent of funds available. Effective July 1, 1953.] To Manufacturing and Labor.

HB 404 - Introduced by Uzzell

"Amending Chapter 1, Section 89, of the General Statutes of North Carolina to authorize deputy clerks of the superior courts to sign summonses in civil actions and to validate summonses heretofore signed by deputy clerks." [As title indicates.] To Judiciary 2.

HB 405 - Introduced by Uzzell

"To amend G.S. 51-7 and G.S. 51-16 relating to the time permitted for returning marriage licenses to the office of the register of deeds." [Reduces from two months to ten days period within which every minister or officer who marries any couple must return marriage license to register of deeds.] To Judiciary 2.

HB 415 - Introduced by Martin

"To amend G.S. 108-30.1, relating to liens on real property for old age assistance." [Effective July 1, 1953, adds to G.S. 108-30.1 provision that old age assistance recipients are allowed $1000 homestead property exemption.] To Public Welfare.

HB 416 - Introduced by White of Chowan

"Amending Article 2 of Chapter 51 of the General Statutes relating to the correction of errors in recorded marriage licenses." [Adds new G.S. 51-18.1 to provide that if either party to marriage license application erroneously signs name and incorrect name appears on marriage license in register's office, party may make verified petition to superior court judge, and after hearing, judge may order register to make recessary correction. Order is to be recorded in CSC minute docket and certified copy furnished to register.] To Judiciary 2.

HB 418 - Introduced by Whitley and Womble of Wake

"To define and regulate the sale of reclaimed oil." [Effective July 1, 1953, makes it misdemeanor, punishable by fine not less than $50 nor more then $300 or imprisonment not less than 90 days, or both, to sell, offer for sale, advertise for sale, or deliver in N. C. any reclaimed oil (defined as oil previously used) unless such oil is in sealed container and conspicuously marked as provided in bill, and advertisements thereof must state in prominent letters that product is reclaimed oil.] To Judiciary 2.

HB 419 - Introduced by Worthington

"To amend Chapter 90 of the General Statutes of North Carolina relating to pharmacy." [Adds new G.S. 90-60.1, which permits persons to apply on blank furnished by Board of Pharmacy on or before July 1, 1953 for a limited service pharmacy license. Application must (1) be verified; (2) contain name and address of applicant and statement that applicant is N. C. citizen and resident; (3) state that applicant is at least 30 years of age; (4) state that applicant has had 10 years experience compounding physicians' prescriptions under direction of licensed pharmacist or permitted physician; and (5) be accompanied by 2 affidavits of good moral character. Amends G.S. 90-60 to provide $10 fee for limited license on application, and $5 annual renewal fee. Amends G.S. 90-62, 90-66, 90-71, and 90-72 to insert references to holders of limited service licenses, and make those sections apply to such licenses.] To Judiciary 2.

HB 426 - Introduced by Taylor of Warren and Worthington

"To amend G.S. 143-2, relating to the term of office of the assistant director of the budget." [Effective July 1, 1953, amends G.S. 143-2 to provide that the assistant director of the budget shall serve at pleasure of Governor instead of for term of four years beginning July 1 following Governor's inauguration.] To Judiciary 2.

HB 427 - Introduced by Worthington

"To amend Chapter 48 of the General Statutes of North Carolina relating to adoption of minors to permit the court to waive the interlocutory decree and probationary period in certain additional cases." [Amends G.S. 48-21(c) to permit court to waive interlocutory decree and enter final order of adoption where child is at least 16 years old, has resided in home of petitioners for five years prior to filing of petition, and consents to adoption as provided in G.S. 48-10.] To Judiciary 2.

HB 428 - Introduced by Moore of Wilson and others.

"To amend G.S. 106-99 (Volume 3A) relating to inspection tax on feeding stuffs." [Adds to G.S. 106-99 provision that 25¢ per ton inspection tax on commercial feeding stuff shall apply to (1) commercial feeding stuff furnished or used for growing or feeding of livestock, domestic animals and poultry under contract and (2) to feeding stuffs produced by purchase of grain or other materials and mixing with concentrated commercial feeding stuff as a base. If concentrated commercial feeding stuff used as base has been taxed, then this tax may be subtracted from tax due. Increased tax does not apply to persons raising own grain and mixing with commercial feeding stuff for feeding to own livestock, domestic animals or poultry. Amends G.S. 106-102.1 to change penalty for discovery of fat deficiency of more than .50% (one half unit) from mandatory twice value of deficiency to discretionary penalty of up to twice value of deficiency. Deletes from G.S. 106-93 requirement that statement of analysis include percentage of carbohydrates in commercial feeding stuff.] To Agriculture.

LOCAL BILLS INTRODUCED -- HOUSE

HB 397 - (Person) Introduced by Satterfield

"To make unlawful the hiring of taxicabs in Person County without paying therefor." [Provides that any person obtaining transportation in a taxicab without paying therefor (with intent to defraud operator or owner), or any person leaving cab without paying lawful taxicab fare is guilty of a misdemeanor and subject to fine or imprisonment in discretion of court.] To Judiciary 2.

HB 400 - (Watauga) Introduced by Winkler

"To place Watauga County under the state-wide primary laws." [Amends G.S. Ch. 163, Subchapter II, Article 19, and Ch. 264, 1937 Public Laws to provide that all political parties in Watauga County must nominate and select candidates according to the state-wide primary laws.] To Elections and Election Laws.

HB 401 - (Watauga) Introduced by Winkler

"To fix certain fees for services performed by the sheriff of Watauga County." [Fixes sheriff's fees for performance of official functions as follows: warrants, $2.50; capias, $2.50; subpoena, $1.50; claim and delivery, $3.00; civil summons, $2.00; bonds, $1.00; and summons jurors, $1.00.] To Local Government.

HB 402 - (Watauga) Introduced by Winkler

"To require that the tax collector and the tax supervisor be elected by the voters of Watauga County." [Provides for election of tax collector and tax supervisor at next general election and each general election thereafter, under same rules and regulations as pertain to election of county officers. Duties of such officers are to remain as now fixed by law.] To Local Government.

HB 406 - (Rowan) Introduced by Uzzell

"To amend Chapter 909 of the Session Laws of North Carolina of 1949 amending Chapter 515 of the Public-Local Laws of 1919 relating to the fees of certain officials of Rowan County." [Raises fee allowed sheriff, deputy sheriffs and constables for executing summons from superior court from $1 to $2.] To Judiciary 2.

HB 407 - (Scotland) Introduced by Kiser

"To provide that all ad valorem taxes levied by the City of Laurinburg, which are two years or more delinquent, shall when collected accrue to the general fund of the City of Laurinburg." [As title indicates.] To Local Government.

HB 408 - (Scotland) Introduced by Kiser

"Relating to the City of Laurinburg, formerly the Town of Laurinburg, in Scotland County and further amending the charter of said municipal corporation." [Amends Ch. 124, 1901 Private Laws, and all amendments thereto to strike the word "town" wherever it occurs therein and to substitute in lieu thereof the word "city". Ratifies and confirms all actions, proceedings and elections for the purpose of authorizing, selling or issuing bonds or notes on behalf of Laurinburg municipal corporation, and declares all such bonds or notes legal obligations of such corporation.] To Local Government.

HB 409 - (Scotland) Introduced by Kiser

"To repeal Chapter 66 of the Session Laws of 1947 relating to the establishment of parking meters in the City of Laurinburg." [Repeals cited chapter, which authorized the governing body of the Town of Laurinburg to establish a system of parking meters and to use the proceeds therefrom for maintenance and operation of recreational facilities and for any general municipal purpose designated by such governing body.] To Local Government.

HB 410 - (Orange) Introduced by Umstead

"Relating to the planning and zoning powers of the Town of Chapel Hill." [Authorizes Chapel Hill governing body to exercise within the territory surrounding the corporate limits of Chapel Hill as defined herein, any planning, zoning and subdivision-control powers vested in such governing body by the town charter, or by statute. Requires governing body, before exercising such powers, to create a planning board (five members appointed by governing body from Chapel Hill citizens, and five members appointed by Orange County commissioners from residents of regulated surrounding territory for five year terms; original members may be appointed for shorter terms for purpose of staggering terms) with powers of municipal planning board (defined in G.S. 160-22 and 160-24) and of municipal zoning commission (defined in G.S. Ch. 160, Art. 14.), and with jurisdiction including territory within Chapel Hill town limits and surrounding territory delineated herein. Governing body, before adopting a zoning ordinance for defined surrounding territory, must appoint a zoning board of adjustment, composed of ten members (five from Chapel Hill and five from defined surrounding territory, appointed for three year terms; original members may be appointed for shorter terms for purpose of staggering terms) with powers enumerated in G.S. 160-178; four fifths vote of members present (five members constitutes quorum) is required to (a) reverse any order or decision of any administrative officer charged with enforcing ordinance, or (b) decide any matter upon which it is required to pass under such ordinance in favor of applicant, or (c) effect any variation in such ordinance. Authorizes governing body to appoint a building inspector to enforce any regulations adopted under this act within defined surrounding territory. Such inspector may also serve as Chapel Hill building inspector. Prohibits enactment of any ordinance under this act by governing body without holding public hearing as provided in G.S. 160-175, and provides that no further hearing is necessary. No ordinance adopted under this act may affect litigation pending at time of adoption. Powers granted herein are supplementary to powers already granted. Repeals Ch. 629, 1949 Session

Laws and Ch. 273, 1951 Session Laws but validates any action previously taken under authority of either law.] To Counties, Cities and Towns.

HB 411 - (Orange) Introduced by Umstead
"To provide for a week of civil term of court for Orange County." [Amends G.S. 7-70 to add term of civil court beginning second Monday before first Monday in March.] To Judiciary 1.

HB 412 - (Orange) Introduced by Umstead
"Relating to the duties of the prosecuting attorney of the recorder's court of Orange County." [Permits Orange recorder court prosecuting attorney to prosecute cases in Chapel Hill recorder court on request of governing body of town.] To Judiciary 1.

HB 413 - (Orange) Introduced by Umstead
"To amend the charter of the Town of Chapel Hill relating to official bonds of officers and employees." [Amends Sec. 36, Ch. 193, 1925 Private Laws, to strike provision requiring justified bonds with Chapel Hill sureties in amounts determined by aldermen, and that clerk and treasurer, and police chief and tax collector bonds are not to be less than $1000 each. Provides that governing body is to determine who is to give bond, the amount, and terms.] To Counties, Cities and Towns.

HB 414 - (Iredell) Introduced by Randall
"To repeal Chapter 1227 of the Session Laws of 1951 relating to the recorder's court at Mooresville, Iredell County." [Repeals Ch. 1227, 1951 Session Laws, which provided for transfer of cases to superior court on demand for jury trial, and reinstates jury trials in recorder court.] To Judiciary 1.

HB 417 - (Cherokee) Introduced by Mauney
"To create a power board for the Town of Murphy; to provide for the organization of said board; and to prescribe the powers, duties, and methods of procedure of said board with respect to the management, control, operation, maintenance, expansion and financing of the electric plant and distribution system of said town." [Creates Murphy Power Board, to consist of three named citizens of town, for six, four, and two year terms. Town commissioners appoint successors and fill vacancies, but no town employee is eligible. Board members receive $10 per month, must hold at least one public meeting per month and as many private meetings as necessary and keep typewritten records in permanent minute book. Board is given all powers and duties now possessed by town with respect to operation of power facilities now owned by town, or to be constructed or improved. Board determines employees to be bonded and amounts with premiums paid by power board. Board given following powers and duties: (1) fix rates (to be in conformity with TVA contract); (2) make contracts or leases; (3) borrow money for period not to exceed three years, with approval of town commissioners; (4) issue long term bonds for acquisition, construction, expansion, or improvement of system, through town commissioners, and town commissioners must issue such bonds if only power revenue is pledged; (5) make reasonable rules and regulations to govern system; (6) exercise power of eminent domain in name of town; (7) employ necessary personnel; (8) keep books and accounts; (9) file financial statement semiannually with town commissioners; (10) assume all power system debts; (11) dispose of revenue as follows: (a) pay current expenses, (b) debt service, (c) reserves, (d)equivalent of ad valorem taxes to town, (e) surplus, to be used primarily to cut rates. Except as provided specifically, Board is independent of town officers.] To Public Utilities.

HB 420 - (Clay) Introduced by Moore
"To authorize the North Carolina Wildlife Resources Commission to examine the waters of Clay County with a view of establishing a modern trout hatchery and report on said to the next General Assembly." [As title indicates; hatchery would

supply trout for streams of western counties.] To Wildlife Resources.

HB 421 - (Duplin) Introduced by Carr
"To exempt members of voluntary fire companies from jury duty in Duplin County." [As title indicates; secretary of each company must certify list of active members to board of county commissioners every January.] To Judiciary 2.

HB 422 - (Duplin) Introduced by Carr
"To authorize the governing authority of the town of Wallace to sell the present city hall and the site or lot on which the said city hall is now located." [As title indicates; sale may be public or private, as governing body deems best. Permits town to accept deferred payments secured by first mortgage or deed of trust.] To Local Government.

HB 423 - (Surry) Introduced by Fowler
"To amend G.S. 18-77 relating to the issuance of beer and wine licenses as applied to the county of Surry, the town of Mount Airy and the town of Elkin." [Amends G.S. 18-77 to authorize named governmental units to decline to issue "on premises" licenses for sale of beer and other beverages.] To Propositions and Grievances.

HB 424 - (Surry) Introduced by Fowler
"To authorize the county commissioners of Surry County to fix the salaries of employees, deputies and assistants in the offices of the register of deeds and clerk of superior court of Surry County." [As title indicates; retroactive to July 1, 1952.] To Local Government.

HB 425 - (Martin) Introduced by Corey
"To provide for a primary and general election for the town of Jamesville, in Martin County." [Sets out procedure for holding town primary and general elections, providing that 1953 elections are to be held and conducted by county board of elections (instead of town clerk and board of commissioners, as provided in Ch. 232, 1951 Session Laws.) Provides for new registration in 1953, to be carried out by county board under provisions of G.S. Ch. 160, Art. 3. All expenses of elections are to be paid by town. In 1955 and thereafter the town board of commissioners and clerk are to conduct primary and general elections.] To Elections and Election Laws.

HOUSE CALENDAR ACTION

PUBLIC BILLS

SB 141 - Authorizing Sunday process service. Received from Senate; sent to Judiciary 1.
SR 179 - (Joint Resolution) Accepting Lejeune invitation. Received from Senate; placed on calendar; passed second and third readings.

HB 193 - Raising pharmacist license fees. Passed third reading.
HB 205 - Governmental reorganization commission. Clarifying amendment adopted; passed second and third readings.
HB 222 - Suspending license for excessive speed. Withdrawn from Judiciary 1; sent to Roads and Highway Safety.
HB 235 - Law books for Industrial Commission. Reported favorably.
HB 248 - Trustees for adult incompetents. Passed second and third readings.
HB 289 - Medical license fees. Passed third reading.
HB 380 - Non liability for record destruction. Reported favorably.

LOCAL BILLS

SB 13 - (Graham) Jailer fees. Re-referred to Local Government.

HB 55 - (Orange) Carrboro mayors court jury trials. Reported favorably as amended.
HB 159 - (Caswell) Prohibiting palmistry, as amended in Senate 2/23. Received from Senate for concurrence in Senate amendment; concurred.
HB 291 - (Halifax) Validating JP acts. Reported favorably.
HB 301 - (Edgecombe, Nash, Pitt, Wilson) Creating airport authority. Reported favorably.
HB 311 - (Moore) Volunteer firemen jury exemption. Reported favorably.
HB 359 - (Northampton) Volunteer firemen jury exemption. Reported favorably.
HB 379 - (Rowan) Fee for serving JP process. Reported favorably.
HB 386 - (Wilkes) Volunteer firemen jury exemption. Reported favorably.
HB 393 - (Pitt) Transferring county hospital management. Reported favorably.

Next session of House: 12 noon, Wednesday, February 25, 1953.

#

INSTITUTE OF GOVERNMENT

LEGISLATIVE SERVICE

GENERAL ASSEMBLY OF NORTH CAROLINA

BULLETIN OF LOCAL LEGISLATION

P. O. Box 1658 111 West Morgan St., Raleigh, N.C. Telephone 3-5515

WEEKLY BULLETIN

Note: Included in this Bulletin is a digest of all local legislation introduced or acted upon by the General Assembly during the week ending February 21, 1953, affecting your county or any municipality therein.

WAKE COUNTY

SB 50 - Introduced by Bailey, Jan. 26 (Raleigh special assessment procedure)
Feb. 17, ratified.

SB 118 - Introduced by Bailey, Feb. 13 (Precinct 28 police and regulation)
Feb. 18, passed Senate; Feb. 19, received in House; sent to Counties, Cities and Towns.

SB 128 - Introducedd by Bailey, Feb. 20
"To appropriate funds to reimburse the city of Raleigh for services rendered the state of North Carolina and its agencies in and around the city of Raleigh." [Citing state property valuation in excess of $84 million in Raleigh and uncompensated services rendered by city in providing police and fire protection and garbage collection for state agencies, appropriates $60,000 annually from General Fund to be paid in equal monthly installments to Raleigh during 1953-55 biennium.] To Appropriations.

SB 129 - Introduced by Bailey, Feb. 17
"To amend Sub-chapter VII of Chapter 7 of the General Statutes relating to general county courts as applied to Wake County." [Amends Art. 30 of Ch. 7 of General Statutes, relating to establishment, organization and jurisdiction of general county courts, insofar as it relates to any such court which may be established in Wake County as follows: (1) Amends G.S. 7-271 to fix salary of judge at $10,000 per year instead of providing for salary to be fixed by county commissioners; (2) amends G.S. 7-271 to provide that Wendell recorder is to serve as judge of county court (when created) for 4-year term with successor to be selected as now provided by law; (3) amends G.S. 7-273 to provide that solicitor of Middle Creek Township recorder's court is to serve as prosecutor of county court (when created) for 4-year term at salary of $8,000 per year with successor to be selected as now provided by law; and (4) adds subsection (b) to G.S. 7-279 to provide that civil jurisdiction of a general county court must not exceed $5,000.]
Feb. 19, reported favorably by Senate committee; Feb. 21, withdrawn from calendar and re-referred to Judiciary 2.

HB 132 - Introduced by Womble, Pou and Whitley, Jan. 29 (Holly Springs charter)
Feb. 20, ratified.

HB 269 - Introduced by Pou, Womble and Whitley, Feb. 14 (County water & sewer lines)
Feb. 18, passed House; Feb. 19, received in Senate; sent to Counties, Cities and Towns.

HB 270 - Introduced by Pou, Womble and Whitley, Feb. 14 (TB sanatorium managers)
Feb. 19, passed House; Feb. 20, received in Senate; sent to Counties, Cities and Towns.

HB 271 - Introduced by Pou, Whitley and Womble, Feb. 14 (Domestic relations court)
Feb. 18, amended in House to correct printing error in printed bill; passed House; Feb. 19, reconsidered votes by which bill passed House; re-referred to Judiciary 2.

HB 272 - Introduced by Pou, Whitley and Womble, Feb. 14 (Officials salaries)
Feb. 19, passed House; Feb. 20, received in Senate; sent to Salaries and Fees.

HB 293 - Introduced by Pou, Whitley and Womble, Feb. 17
"To appropriate funds to reimburse the City of Raleigh for services rendered the State of North Carolina and its agencies in and around the City of Raleigh." [Identical with SB 128, digested above.] To Appropriations.

HB 300 - Introduced by Whitley, Womble and Pou, Feb. 17
"To amend Sub-chapter VII of Chapter 7 of the General Statutes relating to general county courts as applied to Wake County." [Identical with SB 129 digested above.] To Judiciary 2.

HB 370 - Introduced by Womble, Whitley and Pou, Feb. 20
"To amend Chapter 197 of the Private Laws of North Carolina of one thousand nine hundred seven relating to the charter of the Town of Garner." [Amends Sec. 2 of cited chapter to redefine Garner corporate limits by metes and bounds set forth in bill.] To Counties, Cities and Towns.

HB 371 - Introduced by Womble, Whitley and Pou, Feb. 20
"To validate the official acts of the mayor and the board of commissioners in the Town of Garner in Wake County." [Validates all official acts of Garner mayor and commissioners performed under color of office after June 30, 1949 and prior to July 1, 1952.] To Counties, Cities and Towns.

STOKES COUNTY

HB 337 - Introduced by Rodenbough, Feb. 19
"Relating to the salaries of certain county officials in Stokes County." [Fixes annual salaries of Stokes County officials as follows: (1) sheriff, $4200, plus up to $600 (in discretion of county commissioners) for services performed in acting as county treasurer; (2) CSC, $4200; (3) register of deeds, $4200; (4) Assistant CSC, $3000; (5) deputy register of deeds, $3000; (6) Tax supervisor and tax collector (one officer), $3600, plus a reasonable amount in discretion of commissioners for clerical assistance.] To Local Government.

HB 338 - Introduced by Rodenbough, Feb. 19
"To authorize the Board of County Commissioners of Stokes County in its discretion to destroy certain old, obsolete, and useless records of the county." [Authorizes commissioners to inspect all records and papers of Stokes County public offices and to destroy all which were created prior to 1936 and are of no further official use.] To Local Government.

UNION COUNTY

SB 55 - Introduced by Smith, Jan. 28 (Monroe primary election)
Feb. 17, ratified.

HB 169 - Introduced by Wilson, Feb. 4 (Extending Monroe limits)
Feb. 20, ratified.

INSTITUTE OF GOVERNMENT
Legislative Service

WEEKLY LEGISLATIVE SUMMARY

P. O. Box 1658 111 West Morgan St., Raleigh, N. C. February 21, 1953

NOTE: This is the sixth of a series of weekly summaries prepared by the legislative staff of the Institute of Government on the work of the North Carolina General Assembly of 1953. It is confined to discussions of matters of general interest and major importance.

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The General Assembly waited for the Governor's budget message during this seventh legislative week and turned for diversion to other subjects, such as girls' basketball, automobile racing, and roasted oysters. Pamlico County officials and the state prison were hosts on Wednesday to legislators and other guests at an oyster roast at the prison; Wake County citizens turned out in force on Thursday to oppose legislation which would permit Sunday automobile races at the Southland Speedway; and both houses agreed on Friday that a regulation of the State Board of Education prohibiting girls' basketball teams from participating in tournaments outside their home counties was impractical, no matter how laudable the objective (Item: the regulation was overruled).

The Governor continued to confer with legislators in the mansion throughout the week while his budget message was being ironed out for Tuesday delivery. In the meantime it was becoming evident that much important legislation, including the legislative programs of several state departments, was being held up, possibly pending approval by the chief executive.

The rate of bill introduction is ahead of 1951 in the House, slightly behind in the Senate. If legislation of state-wide interest is slow reaching the capitol, it can be said that local legislation is picking up. Through Friday 266 local bills had been introduced as compared with 191 at the same time last session. Speculation next week will center on the Senate, which now has a rule prohibiting the introduction of local bills after March 1. To date 56 local bills have been introduced in the Senate, in comparison with over 250 for the entire session in 1951.

Appropriations

Since January 21 the 89-member joint appropriations committee has been sitting three afternoons each week to hear departments, institutions, and agencies explain why they should get a bigger slice of the pie. By Wednesday, February 18, all had been heard. Total requests over and above the $638,000,000 in appropriations recommended by the Advisory Budget Commission reached $145,386,074 from the General Fund and about $118,000 from the Highway Fund. This total includes $110,595,617 for permanent improvements (of which $60,000,000 was requested for school building purposes) and $34,790,457 for operating funds. Next week it is expected that the Governor's budget message will be read to the legislature on Tuesday, after which the appropriations committees will begin wielding the paring knife. As yet no one knows whether there will be a sub-committee appointed to make the first draft of the ultimate biennial money bill. That, too, may be decided next week.

Finance

Despite implications in the $145 million additional appropriations requests, some legislators continue to direct their attention toward possible tax reductions with emphasis this week on the income tax. Two bills envision increased deductions for gifts made by individuals to organizations operated exclusively for religious, charitable, literary, scientific and educational purposes. Estimated to reduce state revenues by $500,000 per year, Rep. Falls' HB 309 would permit individuals to deduct up to 20% (instead of only 10% as now provided) of net income for gifts and contributions; still greater deductions would be allowed by Sen. Shuford's SB 161 which would increase allowable deductions from 10% of net income to 20% of gross income for such gifts. Another bill (HB 302) would permit deductions of commutation expenses in computing taxable net income. Designed to attract mining industries to the state but with little immediate effect on state revenues anticipated, SB 144, endorsed by 18 senators, would adopt the federal rule of depletion allowances in permitting deductions for depletion of mines, natural deposits and oil and gas wells. To adjudicate questions of liability for state and local taxes a Tax Appeals Commission would be established under provisions of HB 326. The joint finance committee can be expected to withhold final action on all tax bills pending the Governor's budget message and final determination on appropriations.

Education

Two more bills concerning subjects mentioned in the Governor's inaugural message were introduced this week. SB 124 appropriates $339,720 for each year of the biennium to set up a program of driver training and safety education in all public high schools. HB 367 attacks the school consolidation problem and proposes a solution under which most of the schools closed in recent years could be reopened. An able subcommittee was appointed by Chairman Maddrey of the House education committee to consider all consolidation bills introduced and draft a state-wide bill. The subcommittee now has under consideration HB 84 (Bertie) and HB 310 (Moore), designed to permit reopening of closed or consolidated schools, and will now receive HB 367.

Local Government

Another proposal giving county commissioners authority to fix county employees' salaries has reached the General Assembly, this one with statements that possible unconstitutional delegation of legislative power had been avoided by limiting county commissioners' power to reduce or increase salaries to 20% per fiscal year. Meantime the city of Raleigh requested annual appropriations of $60,000 to compensate the city for fire and police protection and garbage collection for non-taxable state property.

Judges and Court Procedure

The General Assembly has not forgotten our judges and solicitors. Bills introduced this week would raise salaries of supreme court justices from $14,400 to $16,000 (with an extra $500 for the chief justice), superior court judges from $10,000 to $12,000, superior court solicitors from $6500 to $7150 (plus an expense allowance increase of $150), and emergency judges from $50 to $100 weekly. HB 163, a Judicial Council bill endorsed by the Governor to add six additional superior court resident judges, passed second reading in the House on Friday. Rep. Womble of Wake objected to third reading of the bill, stating that no provision was made to relieve the crowded docket in Wake County, where it sometimes takes five years to get a civil case tried.

The Judicial Council (assigned by law the duty of continuous research on means to improve court procedure and administration) has already seen two of its recommended bills pass both houses. However, the General Statutes Commission (assigned by law the duty of continuous research to revise and correct the statutory law) has seen four of its bills reported unfavorably, although five of the original 17 have passed both houses and five more have passed the Senate.

Miscellaneous

The smooth progress of the Governor's highway reorganization bill was jarred slightly as it reached the floor of the House on Thursday. A spirited, if futile, show of opposition by Rep. Kiser, culminating in the first call for the "ayes and noes" of the 1953 session, was crushed as SB 88 was passed with only eight dissenting votes. The bill was ratified on Friday and is now law. Another administration measure, HB 205, creating a commission to study and recommend changes in the state governmental structure, was reported favorably by House Judiciary 1, but floor consideration was postponed until next Tuesday. Agriculture got into the "commission" picture on Monday when a bill was introduced authorizing the Governor to appoint a seven-member commission to make recommendations to the 1955 General Assembly on locating and financing a produce marketing center. Attempts to deliver the "coup de grace" to the ailing Ku Klux Klan appeared simultaneously in both House and Senate on Wednesday. HB 306 and SB 140 clamp strict regulations on all secret societies in the state in terms broad enough to include college fraternities and the Communist Party.

INSTITUTE OF GOVERNMENT

LEGISLATIVE SERVICE

GENERAL ASSEMBLY OF NORTH CAROLINA

BULLETIN OF LOCAL LEGISLATION

P. O. Box 1658 111 West Morgan St., Raleigh, N.C. Telephone 3-5515

WEEKLY BULLETIN

Note: Included in this Bulletin is a digest of all local legislation introduced or acted upon by the General Assembly during the week ending February 21, 1953, affecting your county or any municipality therein.

WAKE COUNTY

SB 50 - Introduced by Bailey, Jan. 26 (Raleigh special assessment procedure)
Feb. 17, ratified.

SB 118 - Introduced by Bailey, Feb. 13 (Precinct 28 police and regulation)
Feb. 18, passed Senate; Feb. 19, received in House; sent to Counties, Cities and Towns.

SB 128 - Introduced by Bailey, Feb. 20

"To appropriate funds to reimburse the city of Raleigh for services rendered the state of North Carolina and its agencies in and around the city of Raleigh." [Citing state property valuation in excess of $84 million in Raleigh and uncompensated services rendered by city in providing police and fire protection and garbage collection for state agencies, appropriates $60,000 annually from General Fund to be paid in equal monthly installments to Raleigh during 1953-55 biennium.] To Appropriations.

SB 129 - Introduced by Bailey, Feb. 17

"To amend Sub-chapter VII of Chapter 7 of the General Statutes relating to general county courts as applied to Wake County." [Amends Art. 30 of Ch. 7 of General Statutes, relating to establishment, organization and jurisdiction of general county courts, insofar as it relates to any such court which may be established in Wake County as follows: (1) Amends G.S. 7-271 to fix salary of judge at $10,000 per year instead of providing for salary to be fixed by county commissioners; (2) amends G.S. 7-271 to provide that Wendell recorder is to serve as judge of county court (when created) for 4-year term with successor to be selected as now provided by law; (3) amends G.S. 7-273 to provide that solicitor of Middle Creek Township recorder's court is to serve as prosecutor of county court (when created) for 4-year term at salary of $8,000 per year with successor to be selected as now provided by law; and (4) adds subsection (b) to G.S. 7-279 to provide that civil jurisdiction of a general county court must not exceed $5,000.]

Feb. 19, reported favorably by Senate committee; Feb. 21, withdrawn from calendar and re-referred to Judiciary 2.

HB 132 - Introduced by Womble, Pou and Whitley, Jan. 29 (Holly Springs charter)
Feb. 20, ratified.

HB 269 - Introduced by Pou, Womble and Whitley, Feb. 14 (County water & sewer lines)
Feb. 18, passed House; Feb. 19, received in Senate; sent to Counties, Cities and Towns.

HB 270 - Introduced by Pou, Womble and Whitley, Feb. 14 (TB sanatorium managers)
Feb. 19, passed House; Feb. 20, received in Senate; sent to Counties, Cities and Towns.

HB 271 - Introduced by Pou, Whitley and Womble, Feb. 14 (Domestic relations court)
Feb. 18, amended in House to correct printing error in printed bill; passed House; Feb. 19, reconsidered votes by which bill passed House; re-referred to Judiciary 2.

HB 272 - Introduced by Pou, Whitley and Womble, Feb. 14 (Officials salaries)
Feb. 19, passed House; Feb. 20, received in Senate; sent to Salaries and Fees.

HB 293 - Introduced by Pou, Whitley and Womble, Feb. 17
"To appropriate funds to reimburse the City of Raleigh for services rendered the State of North Carolina and its agencies in and around the City of Raleigh." [Identical with SB 128, digested above.] To Appropriations.

HB 300 - Introduced by Whitley, Womble and Pou, Feb. 17
"To amend Sub-chapter VII of Chapter 7 of the General Statutes relating to general county courts as applied to Wake County." [Identical with SB 129 digested above.] To Judiciary 2.

HB 370 - Introduced by Womble, Whitley and Pou, Feb. 20
"To amend Chapter 197 of the Private Laws of North Carolina of one thousand nine hundred seven relating to the charter of the Town of Garner." [Amends Sec. 2 of cited chapter to redefine Garner corporate limits by metes and bounds set forth in bill.] To Counties, Cities and Towns.

HB 371 - Introduced by Womble, Whitley and Pou, Feb. 20
"To validate the official acts of the mayor and the board of commissioners in the Town of Garner in Wake County." [Validates all official acts of Garner mayor and commissioners performed under color of office after June 30, 1949 and prior to July 1, 1952.] To Counties, Cities and Towns.

STOKES COUNTY

HB 337 - Introduced by Rodenbough, Feb. 19
"Relating to the salaries of certain county officials in Stokes County." [Fixes annual salaries of Stokes County officials as follows: (1) sheriff, $4200, plus up to $600 (in discretion of county commissioners) for services performed in acting as county treasurer; (2) CSC, $4200; (3) register of deeds, $4200; (4) Assistant CSC, $3000; (5) deputy register of deeds, $3000; (6) Tax supervisor and tax collector (one officer), $3600, plus a reasonable amount in discretion of commissioners for clerical assistance.] To Local Government.

HB 338 - Introduced by Rodenbough, Feb. 19
"To authorize the Board of County Commissioners of Stokes County in its discretion to destroy certain old, obsolete, and useless records of the county." [Authorizes commissioners to inspect all records and papers of Stokes County public offices and to destroy all which were created prior to 1936 and are of no further official use.] To Local Government.

UNION COUNTY

SB 55 - Introduced by Smith, Jan. 28 (Monroe primary election)
Feb. 17, ratified.

HB 169 - Introduced by Wilson, Feb. 4 (Extending Monroe limits)
Feb. 20, ratified.

INSTITUTE OF GOVERNMENT

LEGISLATIVE SERVICE

GENERAL ASSEMBLY OF NORTH CAROLINA

DAILY BULLETIN

P. O. Box 1658 111 West Morgan St., Raleigh, N. C. Telephone 3-5515

BULLETIN NO. 37
Thursday, February 26, 1953

Session: Senate -- 12 noon

PUBLIC BILLS INTRODUCED -- SENATE

SB 207 - Introduced by Hobgood

"To authorize the state Department of Archives and History to organize and administer a junior historian movement in North Carolina." [Citing importance of N. C. youth being instructed in state history, empowers Department of Archives and History to organize and administer a Junior Historian Movement in cooperation with Department of Public Instruction, public schools and other interested organizations insofar as necessary staff and funds may be available.] To Education.

SB 210 - Introduced by Vann

"To amend Article 21 of Chapter 81 of Volume 2B of the General Statutes relating to the inspection and approval of heating units used for curing so-called flue cured tobacco." [Amends G.S. 81-14.7 to delete last sentence which provides that expense incurred in obtaining seals of approval from board of agriculture for heating and/or curing assemblies for flue-cured tobacco is to be borne by manufacturer or distributor of heating unit involved. Provides that in order to obtain seal of approval, manufacturer is (1) at own expense to set up and demonstrate a representative curer to prove to superintendent of weights and measures (or his deputy or inspector) that curer when installed and operated in accordance with manufacturer's instructions will reduce fire hazards to minimum, and (2) to attach an "approval tag" (seal of approval) obtained from superintendent of weights and measures for each curer sold or installed by manufacturer or his agent. Empowers board of agriculture to make necessary regulations and to charge for each approval tag not in excess of $1 (including cost of issuance and on-the-farm inspection). Enumerates standards to be observed by board in making regulations, to reduce fire hazard and lower insurance costs and to protect tobacco crops, but does not limit authority of board to consider other standards. Directs director of budget to allocate for purposes of act from monies collected an amount for current fiscal year equal to amount collected during preceding fiscal year.] To Agriculture.

SB 211 - Introduced by Bailey

"To amend miscellaneous provisions of Chapter 166 of the General Statutes, relating to civil defense agencies, and to make the chapter applicable to natural disasters." [Amends G.S. 166-2(a) to include within definition of "civil defense", for which emergency action is necessary, the consequences of fire, flood, earthquake or windstorm, when request for emergency action is made by governing body of county or municipality; details the emergency functions to be exercised to meet military or natural disasters. Amends G.S. 166-5 and G.S. 166-8 to make civil defense powers of Governor and local governmental units include power to act in case of natural disasters. Eliminates $8000 limit on salary of state director (now fixed in G.S. 166-4). Amends G.S. 166-8(b)(2) to confirm authority of local governmental unit to appoint civil defense director when civil defense powers must be exercised.] To Judiciary 2.

SB 212 - Introduced by Bailey

"To amend Section 55-61, Section 55-66, and Section 55-73 of the General Statutes of North Carolina, in order to authorize the issuance by corporations of classes of stock in series." [Amends cited sections to permit any corporation to issue one or more series of stock within any class of stock. Provides that designations, preferences, and voting powers or restrictions or qualifications may be prescribed in resolution or resolutions providing for issue of such series of any class of stock and adopted by board of directors pursuant to authority expressly vested in board by stockholders' vote creating such class of stock.] To Judiciary 2.

SB 216 - Introduced by Jones

"To establish the Little Jack Loan Fund for dental students." [Authorizes division of oral hygiene of State Board of Health to establish a loan fund of $22,500 from the special dental fund for junior and senior dental students. Loan recipient is to agree that upon graduation from dental school and securing license he will join staff of division of oral hygiene and repay loan in agreed amounts from salary received until loan is paid in full. Loan is to be secured by notes (without interest) which become due immediately if borrower-employer relationship is severed. Loans are to be administered by committee (composed of state health officer, dental member of Board of Health, and director of division of oral hygiene) with power to negotiate all loan contracts. Budget officer of Board of Health is to issue checks and receive payments of loans. Obligations signed by dental students under 21 years are enforceable to same extent as if such students had already attained age 21.] To Public Health.

SB 217 - Introduced by Barnhardt

"To amend Article 2 of Chapter 143 of the General Statutes so as to reduce from seven to five the number of members on the state personnel council." [Rewrites G.S. 145-35 to effect purpose indicated in title. Terminates terms of office of all members of present State Personnel Council at 12 midnight, June 30, 1953, and provides for appointment by Governor of new 5-member council on or before July 1, 1953. Provides that (1) at least one member (instead of at least two members) must have recognized standing in field of personnel administration and not be state employee, (2) at least one member (instead of at least two members) must be actively engaged in management of private business or industry, and (3) not more than one member (instead of not more than two members) must be chosen from state employees. Provides that three (instead of five) members of council constitute quorum. Provides for appointment of one member (instead of two members) for 2-year term, and one member (instead of two members) for 3-year term.] To Judiciary 1.

SB 218 - Introduced by Currie

"Amending Article 34 of Chapter 160 of the General Statutes, being the Revenue Bond Act of one thousand nine hundred and thirty-eight, so as to provide for the issuance of revenue refunding bonds." [Adds G.S. 160-421.1 to authorize municipalities to issue revenue refunding bonds (governed by provisions of Revenue Bond Act) (1) to refund revenue bonds issued under Revenue Bond Act; (2) to so refund and to finance reconstruction, improvement or extension of undertaking for which bonds refunded have been issued; and (3) to so refund and to finance acquisition, construction, improvement or extension of undertaking combined or to be combined with undertaking for which bonds refunded have been issued.] To Finance.

SB 219 - Introduced by Currie

"Amending Sections 153-102 and 153-108 of the General Statutes, being parts of the County Finance Act, and Sections 160-389 and 160-375 of the General Statutes, being parts of the Municipal Finance Act, 1921, so as to extend the time within which bonds may be issued and relating to bond anticipation loans." [Amends

G.S. 153-102 and 160-389 to provide that bonds authorized by bond order or ordinance on or after July 1, 1952, may be issued within 5 years (instead of 3) after bond order or ordinance takes effect unless order or ordinance has been repealed or notes issued in anticipation of the bond proceeds are outstanding. Bonds authorized by order or ordinance effective prior to July 1, 1952 (instead of July 1, 1950), and not issued by July 1, 1953 (instead of July 1, 1951), may be issued prior to July 1, 1955 (instead of July 1, 1953), unless order or ordinance is repealed. Loans or renewals of loans in anticipation of the bond proceeds may be paid not later than June 30, 1955 (instead of June 30, 1953). Amends G.S. 153-108 and 160-375 to extend time within which bond anticipation loans must be paid after effective date of bond order or ordinance from 3 to 5 years. Further amends G.S. 153-108 to provide that bond anticipation notes may be disposed of by public or private negotiations as provided in Local Government Act.] To Finance.

SB 220 - Introduced by Bason

"To amend Chapter 20 of the General Statutes to rewrite the definition of owner of motor vehicles and contract carrier vehicles so as to clarify the licensing procedure for leased vehicles." [Rewrites G.S. 20-38(r)(1) to clarify definition of contract carrier vehicles and exempt from definition those vehicles leased for term of 1 year or more to same person (or firm or corporation) when used exclusively by such person for transporting his own property. Rewrites G.S. 20-38(t) to clarify definition of owner; deletes provision (1) specifying when lessor is regarded as owner of vehicle, (2) permitting lessee to be deemed owner when vehicle is leased to common carrier of property or passengers, and (3) fixing $100 additional license tax on vehicle of lessee who fails to transfer title back to lessor and any license issued within 20 days after termination of lease. Amends G.S. 20-50 (requiring owner to secure registration and certificate of title) to permit lessee of vehicle used as common carrier of passengers or property to obtain registration plates with written consent of owner after certificate of title has been obtained by owner. Lessee must file such evidence of lease as department may require. Amends G.S. 20-110 to require department to cancel registration plates issued to common carriers of passengers or property under G.S. 20-50 when license is used on vehicle other than one for which issued or is used by lessor-owner after lease has been terminated.] To Public Roads.

SB 221 - Introduced by Bason

"To amend Chapter 20 of the General Statutes to provide for the licensing of property carrying vehicles according to the declared gross weight of the owner instead of by the manufacturer's gross weight capacity." [Rewrites G.S. 20-88(a) to make following changes: (1) repeals provisions which set manufacturer's gross weight capacity as the basis for licensing property hauling vehicles and substitutes for such basis empty weight and maximum load to be transported, as declared by owner or operator; (2) repeals provisions of G.S. 20-88(a), which provide that semi-trailers are not to be licensed for less gross weight capacity than truck or truck-tractor with which it is to be operated, and states that declared gross weight of semi-trailers and of trucks or truck-tractors licensed for combination with semi-trailers is not to be less than one-half of total empty weight and maximum load of combination unless such gross weight, after equal division, is within same license fee rate; and (3) repeals provisions which permit limiting license of truck-tractor to be used with trailer or semi-trailer to 20,000 lb. gross and which permit licensing any weight over that 20,000 lb. on the trailer or semi-trailer. Amends G.S. 20-96: (1) by repealing provisions permitting overload provided overload fee is paid; and (2) by providing that intent of section is that motor vehicle owner procure license in advance for empty weight and maximum load (instead of for any overload).] To Public Roads.

LOCAL BILLS INTRODUCED -- SENATE

SB 208 - (McDowell) Introduced by Proctor

"To repeal Chapter 220 of the Public Laws of 1931, relating to the authority of the board of county commissioners of McDowell County to lease certain land to the State Highway Commission." [Repeals cited chapter, which authorized commissioners to grant to State Highway Commission free of charge a described tract of land for use as prison camp or any other purpose connected with construction and maintenance of state highway or county roads. Cancels any lease entered into between county and commission dealing with such tract, and directs SH&PWC to relinquish possession of such tract to county. Does not affect title to any portion of such tract conveyed by deed to State or to any other person by McDowell County.] To Public Roads.

SB 209 - (Sampson) Introduced by Vann

"To amend G.S. 153-5 relating to the number of county commissioners in Sampson County." [Adds Sampson to counties listed in cited section which increases number of county commissioners from three to five.] To Counties, Cities and Towns.

SB 213 - (Halifax) Introduced by Crew

"To authorize the board of county commissioners of Halifax County to defer quadrennial revaluation and reassessment of real property." [Authorizes commissioners to defer revaluation and resssessemnt of real property, required by G.S. 105-278 in 1953, until 1954 or 1955.] To Counties, Cities and Towns.

SB 214 - (Buncombe) Introduced by Weaver

"Amending Chapter 255, Session Laws of 1947 relative to the appointment and terms of office of members of the school board for the Asheville administrative school unit." [Amends Section 2 of cited chapter to provide for appointment in March, 1953, and biennially thereafter, of members of school board. Two members to be appointed in 1953 are to serve for six years, two for four years, and one for two years, and successors are to be appointed for six year terms.] To Education.

SB 215 - (Pitt) Introduced by Jones by request

"Relating to the mayor's court of the Town of Farmville to provide for the appointment of a clerk: authorize the appointment of a solicitor and to change the bill of cost assessed in said court." [Provides that town clerk is to serve as Farmville mayor court clerk with power to issue warrants returnable to mayor court, fix bonds for defendants arrested pursuant to such warrants, and to issue capias on direction of mayor as judge. Permits town commissioners to appoint mayor court solicitor to serve at pleasure of board and to fix his salary at not more than $75 per month. Amends Sec. 1, Ch. 806, 1951 Session Laws, to add solicitor's fee of $3 to costs authorized in mayor court and to provide that no witness fee shall be assessed for town police officers.] To Counties, Cities and Towns.

SB 222 - (Cumberland) Introduced by Sanford

"To amend G.S. 105-327 relating to the Cumberland County board of equalization and review." [Amends G.S. 105-327(5) to provide that cited board is to complete its 1953 duties not later than Aug. 31, 1953.] To Counties, Cities and Towns.

SB 223 - (Cumberland) Introduced by Sanford

"To amend Chapter 184 of the Session Laws of 1945 relating to the civil service status of the chief of police and the chief of the fire department in the City of Fayetteville." [Amends Ch. 184, Sec. 2, 1955 Session Laws, to permit chief of fire or police department, appointed or elected from his respective department, to return to that department at rating held at time when he became chief, provided city civil service commission approves and he is in good standing, with no charges preferred by his chief administrative superior outstanding against him.] To Counties, Cities and Towns.

SB 224 - (Cumberland) Introduced by Sanford
"To authorize the board of county commissioners of Cumberland County to regulate the operation of taxicabs in said county." [Authorizes county commissioners to require operators of taxicabs operating outside of corporate limits of any municipality within county to comply with any rules, ordinances and regulations in effect in City of Fayetteville." [Makes it misdemeanor, punishable by fine or imprisonment in discretion of court, to violate any resolution adopted by county commissioners pursuant to act.] To Counties, Cities and Towns.

SB 225 - (Edgecombe) Introduced by Weeks
"To regulate and make uniform the fees for service of summons and other process by the sheriff of Edgecombe County and constables of said county." [On and after April 1, 1953, fixes fees to be charged by sheriff and constables for service of process, subpoenaes, official papers and for performance of duties.] To Counties, Cities and Towns.

SENATE CALENDAR ACTION

PUBLIC BILLS

SB 29 - Joint bank accounts. Reported favorably as amended.
SB 42 - Substituted service in civil actions. Reported favorably as amended.
SB 47 - Adoption consent when parents incompetent. Reported favorably as to committee substitute.
SR 66 - (Joint Resolution) Repealing world government resolutions. Committee substitute adopted; citing belief that efforts should be made to support UN but that it is now inappropriate to call constitutional convention to consider (1) amendments authorizing U. S. to negotiate with other nations a constitution for world federal government or (2) amendments appropriate to ratify a world constitution, committee substitute rescinds 1949 resolution calling for such convention but does not rescind 1941 resolution endorsing world government; postponed to 2/27.
SB 107 - Closing woodlands to prevent fires. Reported favorably.
SB 114 - Lumbee Indians. Reported favorably.
SB 117 - Unlicensed driving penalties. Amended to clarify reference to General Statutes; passed second and third readings.
SB 119 - Special license plates for ham operators. Amended to require applications for special licenses to be filed with commissioner of motor vehicles on or before July 1 preceding year for which plates are to be issued; passed second reading.
SB 126 - Issuing executions. Reported favorably.
SB 138 - Clarifying realty anti-lapse law. Reported favorably.
SB 142 - Authorizing optometry certificate revocation. Reported favorably as amended.
SB 144 - Depletion tax allowance. Withdrawn from Conservation and Development; re-referred to Finance.
SB 146 - Korean veterans benefits. Reported favorably.
SB 170 - Reorganizing State Ports Authority. Reported favorably.
SB 172 - Vehicle license plates draft defaults. Passed second and third readings.
SB 173 - House trailer license fees. Amended to make bill effective from and after July 1, 1953 instead of Jan. 1, 1954; passed second reading.
SB 174 - School bus "for hire" exemption. Passed second and third readings.
SB 176 - Altering motor vehicle numbers. Passed second and third readings.

HB 164 - Extending civil defense program. Passed second and third readings.
HB 167 - Oyster dredge weight limits. Reported favorably.
HB 193 - Raising pharmacist license fees. Reported favorably.
HR 205 - (Joint Resolution) Governmental reorganization commission, as amended in House 2/24. Received from House; sent to Judiciary 1.
HB 207 - Renewing summons by endorsement, as amended in House 2/20. Reported favorably.
HB 235 - Law books for Industrial Commission. Received from House; sent to Judiciary 1.
HB 256 - Petition signatures in special proceedings, as amended in House 2/23. Received from House; sent to Judiciary 1.
HB 261 - Cash bond forfeits, as amended in House 2/20. Reported favorably.
HB 289 - Medical license fees. Reported favorably.
HR 429 - (Joint Resolution) Memorializing Moore. Received from House; placed on calendar; passed second and third readings.

LOCAL BILLS

SB 148 - (McDowell) County court concurrent jurisdiction. Reported favorably as amended.
SB 158 - (Cumberland) Extending Hope Mills police jurisdiction. Reported favorably.
SB 177 - (Alexander) Dispossessing tenants, as amended in Senate 2/25. Recalled from House; vote by which bill passed third reading reconsidered; postponed to 3/2
SB 188 - (Union) Deputy register pay. Reported favorably.
SB 189 - (Union) Deputy CSC pay. Reported favorably.
SB 190 - (Madison) Decreasing Hot Springs limits. Reported favorably.
SB 193 - (Wake) Rewriting Raleigh election procedures. Reported favorably.
SB 194 - (Wake) Selling state property to Raleigh. Reported favorably.
SB 195 - (Wake) Raleigh property exchanges. Reported favorably.
SB 196 - (Wake) Raleigh zoning hearings. Reported favorably.
SB 197 - (Wake) Tax information for Raleigh. Reported favorably.
SB 198 - (Wake) Raleigh driveway regulation. Reported favorably.
SB 199 - (Cleveland) Revising Boiling Springs charter. Reported favorably.
SB 201 - (Transylvania) Abolishing special financial statements. Reported favorably.
SB 203 - (Sampson) Volunteer firemen jury exemption. Reported favorably.
SB 204 - (Franklin) Jury trial fee. Reported favorably.
SB 205 - (Gates) Validating conveyances. Reported favorably.
SB 206 - (Iredell) CSC fees. Reported favorably.

HB 28 - (Rockingham) Reidsville recorder court jury trial. Reported favorably.
HB 41 - (Bertie) Bay rum prohibition exemption. Reported favorably as amended.
HB 186 - (Transylvania) Unused schools for community centers. Withdrawn from Education; returned to House on request.
HB 284 - (Harnett) Dunn volunteer firemen jury exemption. Reported favorably.
HB 291 - (Halifax) Validating JP acts. Received from House; sent to Courts and Judicial Districts.
HB 294 - (Dare) Bay rum prohibition exemption. Reported favorably.
HB 325 - (Granville) Drawing jurors. Passed second and third readings.
HB 359 - (Northampton) Volunteer firemen jury exemption. Received from House; sent to Courts and Judicial Districts.
HB 379 - (Rowan) Fee for serving JP process. Received from House; sent to Salaries and Fees.
HB 386 - (Wilkes) Volunteer firemen jury exemption. Received from House; sent to Courts and Judicial Districts.
HB 393 - (Pitt) Transferring county hospital management. Received from House; sent to Public Health.

Next session of Senate. 10:00 a.m. Friday, February 27, 1953.

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BULLETIN NO. 37
Thursday, February 26, 1953

Session: House -- 12 noon

PUBLIC BILLS INTRODUCED -- HOUSE

HB 474 - Introduced by Collier

"To amend Article II of Chapter 160 of the General Statutes to authorize employment of a plumbing inspector in unincorporated areas, and in certain incorporated areas." [Adds G.S. 160-122.1 to permit county commissioners to appoint one or more plumbing inspectors, to serve at pleasure of commissioners and to receive salary fixed by commissioners (which may consist of inspection fees). Inspectors are to inspect and certify approval of all plumbing and water system installations in unincorporated areas and in municipalities under 3,500 in population, to enforce plumbing regulations of county board of health, to collect inspection fees and turn them into county treasurer, and to furnish surety bond approved by commissioners. Makes it unlawful for any inspector to be financially connected with any plumber or plumbing firm.] To Judiciary 2.

HB 476 - Introduced by Fisher and O'Hanlon

"To amend Article 2 of Chapter 18 of the General Statutes relating to selling certain beverages to any person under eighteen years of age." [Adds G.S. 18-31.1 to make it a misdemeanor punishable by fine or imprisonment in discretion of court to aid minor under 18 to obtain beer or unfortified wines. Requires police officers finding person under 18 who is or has been drinking such beverages to inquire who sold or gave such beverages. Police officers are to issue warrant for such person selling or giving beverages. Makes minor who refuses to divulge information guilty of a misdemeanor.] To Propositions and Grievances.

HB 480 - Introduced by Sanders and Yarborough

"To authorize the Governor to confer brevet rank upon certain retired officers and enlisted men of the North Carolina National Guard, and to create the North Carolina distinguished service medal and authorize its award to certain civilians and to certain personnel of the North Carolina National Guard." [Authorizes Governor to confer brevet commissions upon officers, warrant officers, and enlisted men of the N. C. National Guard, army and air, retired under Army and Air Force Vitalization and Retirement Equalization Act of 1948 and who have 10 years satisfactory service with the N. C. National Guard which includes extended active duty. Brevet commissions are to be given as follows: (1) commissioned officers to next grade above highest grade held on active duty in any war(including Korean conflict) or held while serving actively as federally recognized officer of N. C. National Guard,(2) warrant officers to captain or highest grade held on active duty (in war or as member of Guard), (3) enlisted men to first lieutenant or in highest commissioned grade held on active duty (in war or as member of Guard). Commission higher than major general may not be given. Creates "North Carolina Distinguished Service Medal" which Governor, on Council of State recommendation, may present to civilian of this or other state distinguishing himself by meritorious service to N. C. Governor may, upon recommendation of Adjutant General and board of general officers of N. C. National Guard, present medal to members of the N. C. Guard so distinguishing themselves.] To Military Affairs.

HB 481 - Introduced by Blue

"To amend G.S. 116-23.1 to provide for the payment of unclaimed funds to the University of North Carolina by fraternal orders and societies." [G.S. 116-23.1 now provides for payment of all unclaimed funds (i.e., funds held and owing by any life insurance company doing business in N. C. unpaid and unclaimed for at least seven years after payment became due under any life or endowment insurance policy) by insurance company holding same to University of North Carolina each year before December 1st. Effective July 1, 1953, amends cited section to include fraternal orders and societies insuring the lives of their members within definition of life insurance company.] To Judiciary 2.

HB 482 - Introduced by Kiser

"To amend G.S. 105-122 relating to the franchise tax on corporations." [Amends cited section to correct typographical error and an inadvertent omission without altering substance of law.] To Finance.

HB 484 - Introduced by Randall and others

"To amend G.S. 18-6 relating to the search of automobiles whenever an officer has reasonable grounds to believe that there is intoxicating liquor in such automobile." [Amends G.S. 18-6 to permit an officer to search a vehicle without a search warrant whenever he has reasonable grounds to believe the vehicle contains intoxicating liquor (present law requires absolute personal knowledge that liquor is in the vehicle). Requires officer at time of search to give written notation to person in possession of vehicle indicating what vehicle was searched, circumstances of search, and what, if anything, was seized. Copy of notation must be kept by officer and must be produced on order of judge made within 2 years of search.] To Judiciary 2.

HB 485 - Introduced by Brantley

"To amend G.S. 163-12 and G.S. 163-13 relating to the filling of vacancies on county board of elections." [Amends cited sections, to provide that vacancies in county board of elections be filled by State Board of Elections or by its chairman by selecting from 2 electors recommended by chairman of the vacated member's political party, (under present law State Board of Elections may appoint any member of political party of vacating member.] To Elections and Election Laws.

HB 487 - Introduced by Dellinger

"To amend G.S. 101-2 relating to the procedure for changing the names of minors." [Amends cited section to permit minor who has reached the age of 16 to change his or her name with consent of parent having custody of and supporting such minor and without consent of other parent if CSC is satisfied that other parent has abandoned such minor.] To Judiciary 1.

HB 489 - Introduced by Powell and others

"To amend Article 10 of Chapter 95 of the General Statutes relating to contracts between employers and trade associations or labor organizations." [Amends G.S. 95-84 to provide that Article 10 is not to be construed to make unlawful any contract between employer and trade association or labor association which contains a clause requiring that if a majority of employees are or become members of any such association all persons employed thereafter must become members of such association after agreed trial period of employment.] To Manufacturing and Labor.

LOCAL BILLS INTRODUCED -- HOUSE

HB 469 - (Wilson) Introduced by Moore

"To amend Chapter 58 of the Private Laws of 1923, relating to the charter of the Town of Sims, in Wilson County." [Provides for election of mayor and five commissioners (instead of three now provided) under provisions of G.S. Ch. 160.] To Counties, Cities and Towns.

HB 470 - (Duplin) Introduced by Carr

"To amend Chapter 719 of the Session Laws of 1951, relating to the fees of the sheriff, mayors, justices of the peace, and other officers in Duplin County." [As title indicates; sets out detailed schedule of fees.] To Salaries and Fees.

HB 471 - (Duplin) Introduced by Carr

"To prescribe the fees to be charged and collected by the clerk of the superior court of Duplin County." [As title indicates; sets out detailed schedule of fees. Prohibits charging of any fee by CSC for taking of bond from any public official, conditioned on faithful performance of duties of his office and payable to county or state.] To Salaries and Fees.

HB 472 - (Duplin) Introduced by Carr

"Rewriting Section 25, Chapter 114, Session Laws of 1951, fixing fees to be charged and collected by the register of deeds of Duplin County." [As title indicates; sets out detailed schedule of fees. Authorizes county commissioners to increase such fees (or fees not listed but provided in General Statutes) by amount up to 20% of fee now fixed.] To Salaries and Fees.

HB 473 - (Duplin) Introduced by Carr

"Fixing the terms of office of the county commissioners of Duplin County." [Staggers terms of five Duplin County commissioners by providing that three candidates receiving largest number of votes in 1954 general election shall be elected for four year terms and two candidates receiving next largest number of votes shall be elected for two year terms; successors of all five candidates elected in 1954 serve for four years.] To Local Government.

HB 475 - (Cumberland) Introduced by O'Hanlon and Fisher

"To amend Chapter 398, Private Laws of 1913, relating to the charter of the Town of Linden in Cumberland County." [Amends Sec. 3 and Sec. 4 of cited chapter to reduce number of town commissioners from five to four and to provide for biennial, rather than annual, elections for mayor and commissioners.] To Local Government.

HB 477 - (Cumberland) Introduced by O'Hanlon and Fisher

"To amend Chapter 67 of the Private Laws of 1913 being the charter of the Town of Stedman relating to elections." [Prohibits holding of any municipal election in Stedman during 1953 and provides for biennial, rather than annual, elections for mayor and commissioners beginning in 1954.] To Local Government.

HB 478 - (Guilford) Introduced by Shreve, Hunt and Crissman

"To authorize the board of county commissioners to employ and use aid in the allocation of school building appropriations." [Authorizes commissioners to employ suitable persons, firms or corporations to secure and compile data for use in allocating funds for erection and equipment of school buildings in county and to otherwise assist commissioners in such allocation.] To Education.

HB 479 - (Guilford) Introduced by Shreve, Hunt, and Crissman

"Allowing the sheriff or other officer to put in storage property removed from premises under an order or judgment." [Requires officer, before removing personal property of a defendant from premises of plaintiff under execution or order, to give defendant 48 hours personal notice or notice by letter mailed 3 days before removal, informing defendant of exact time removal will be made. Requires defendant to receive goods at time removed, but if he refuses or is not present, officer may, without incurring liability, store the goods with charges therefor to be paid by defendant. Officer may require plaintiff to advance one month's storage and cost of delivering property to warehouse, and if plaintiff fails to do so, officer may return execution or order without removing the property.] To Judiciary 1.

HB 483 - (Vance) Introduced by Falkner

"Relating to advance court costs in Vance County." [Makes provisions of G.S. 2-29 through 2-35, relating to power of CSC to collect advance court costs and to various CSC fees, applicable to Vance County.] To Judiciary 2.

HB 486 - (Caldwell) Introduced by Anderson

"To divide the City of Lenoir into wards for the purpose of electing a mayor and city councilmen." [Divides city into four wards and delineates boundaries of such wards. Provides for election of mayor and seven councilmen to hold office for two year terms, one councilman to be elected from each ward and mayor and three councilmen to be elected at large (no more than one of at large councilmen may be elected from any one ward. Candidates must have resided in town for 12 months prior to election, and councilmen elected from wards must have resided in ward from which elected for at least 4 months prior to election. Duly registered voters must have resided in ward in which they seek to vote for four months prior to election. Any voter moving from one ward to another within four months prior to election may vote in ward from which he moved. Directs county election board to appoint new registrars and judges of election and to require new registration of all qualified resident voters.] To Counties, Cities and Towns.

HB 488 - (Pitt) Introduced by Kilpatrick

"Relating to salaries of the mayor and board of commissioners of the Town of Ayden in Pitt County." [Authorizes board of commissioners of town to fix annual salary of mayor at not over $480 and of board members at not over $300. Gives General Assembly approval to mayor and commissioner salaries paid prior to this act, and validates those paid after July 1, 1952.] To Salaries and Fees.

HOUSE CALENDAR ACTION

PUBLIC BILLS

SB 82 - Regulating intrastate railroad fares. Postponed to 2/27.
SB 83 - Parking meter receipts for off-street parking. Amended so that bill does not apply to Asheville; passed second and third readings.
SR 102 - (Joint Resolution) School law study commission. Received from Senate; sent to Education.
SR 103 - (Joint Resolution) Disapproving ICC power extension. Postponed to 2/27.
SB 147 - Increasing widows and children allowances. Received from Senate; sent to Judiciary 2.
SB 157 - Court term for trying issues joined. Received from Senate; sent to Judiciary 2.
HB 180 - Plumbing and heating contractor licensing. Reported favorably.
HB 225 - Postponing quadrennial revaluation. Amended so that bill does not apply to Greene County; passed second and third readings.
HB 296 - First plane flight celebration commission. Reported favorably.
HB 313 - Cross-indexing criminal cases. Reported favorably.
HB 314 - Cross-indexing old age assistance liens. Reported favorably.
HB 380 - Non liability for record destruction. Passed second and third readings.

LOCAL BILLS

SB 13 - (Graham) Jailer fees. Amended to reduce turnkey fee from 50¢ to 30¢; passed second and third readings.
SB 111 - (Edgecombe) Validating jailer fees. (Senate committee substitute 2/18.) Passed second and third readings.
SB 112 - (Edgecombe) Increasing sheriff's pay. Received from Senate; sent to Salaries and Fees.
SB 113 - (Sampson) Extending Salemburg limits. Passed second reading.
SB 122 - (Randolph) Rewriting Staley charter. Passed second reading.
SB 123 - (Johnston) Smithfield police commissioner (Senate committee substitute 2/25.) Received from Senate; sent to Local Government.
SB 125 - (Forsyth) Tax payment discounts. Received from Senate; sent to Judiciary 1.
SB 127 - (Bladen) Increasing Bladenboro commissioners. Received from Senate; sent to Counties, Cities and Towns.
SB 139 - (Gaston) Superior court concurrent criminal jurisdiction. Received from Senate; sent to Judiciary 1.

SB 152 - (McDowell) Transferring historical records. Received from Senate; sent to Library.

SB 155 - (Gaston) School election registration. Received from Senate; sent to Education.

SB 162 - (Catawba) County commissioners pay. Received from Senate; sent to Salaries and Fees.

SB 167 - (Franklin) Louisburg street conveyance. Received from Senate; sent to Counties, Cities and Towns.

SB 169 - (Durham) Renaming Durham tax collector. Received from Senate; sent to Counties, Cities and Towns.

HB 263 - (Cherokee) JP fees, as amended in Senate 2/25. Received from Senate for concurrence in Senate amendment; concurred.

HB 301 - (Edgecombe, Nash, Pitt, Wilson) Creating airport authority. Postponed to 3/3.

HB 316 - (Dare) Kill Devil Hills incorporation. Passed second reading.

HB 318 - (Hertford) Deputy sheriffs. Passed second and third readings.

HB 322 - (Rockingham) Reidsville court assistants. Passed second and third readings.

HB 329 - (Carteret) Prohibiting dangerous trash on beaches. Passed second and third readings.

HB 330 - (Buncombe) Biltmore Forest bus subsidy. Passed second reading.

HB 337 - (Stokes) Officials salaries. Amended to fix salaries of chief deputy and special deputy sheriff at $3000 per year and per diem allowance of county commissioners and county board of education members at $15 per day; and to renumber last two sections; passed second and third readings.

HB 338 - (Stokes) Records destruction. Amended to require concurrence of State Department of Archives and History in opinion of commissioners that records are of no further official use before any public records may be destroyed; passed second and third readings.

HB 339 - (Anson) Reward for capturing whiskey stills. Passed second and third readings.

HB 340 - (Perquimans) County commissioners salaries. Passed second and third readings.

HB 342 - (Mecklenburg) Sales under power of sale. Reported favorably.

HB 345 - (Cabarrus) Disorderly conduct. Reported favorably.

HB 350 - (Catawba) Newton fire truck sale. Passed second and third readings.

HB 360 - (Robeson) Validating Fairmont sale. Reported favorably.

HB 361 - (Robeson) Extending Fairmont limits. Passed second reading.

HB 369 - (Vance) Constable compensation. Passed second and third readings.

HB 370 - (Wake) Redefining Garner limits. Passed second reading.

HB 371 - (Wake) Validating Garner officials acts. Passed second and third readings.

HB 374 - (New Hanover) School teacher pensions. Reported favorably as amended.

HB 377 - (Gates) Defining Eure school district. Reported favorably.

HB 381 - (Lee) County commissioners election. Postponed to 2/27

HB 382 - (Madison) Register fees. Passed second and third readings.

HB 383 - (Madison) CSC fees. Passed second and third readings.

HB 385 - (Wilkes) Extending North Wilkesboro limits. Passed second reading.

HB 397 - (Person) Prohibiting taxi cab fare non-payment. Reported favorably.

HB 406 - (Rowan) Superior court summons execution fees. Reported favorably as amended.

HB 407 - (Scotland) Deliquent taxes to general fund. Passed second and third readings.

HB 408 - (Scotland) Ratifying Laurinburg obligation issuance. Passed second reading.

HB 409 - (Scotland) Repealing parking meter authority. Passed second and third readings.

HB 421 - (Duplin) Volunteer firemen jury exemption. Reported favorably.

JB 422 - (Duplin) Wallace city hall sale. Passed second and third readings.

HB 459 - (Randolph) Substitute county recorder. Reported favorably.
HB 461 - (Rutherford) Rutherfordton recorder court challenges. Reported favorably.
HB 467 - (Iredell) Warrant issuance by Mooresville police. Reported favorably.

BILLS RATIFIED

HB 34 - Educational institution licenses.
HB 53 - (Rockingham) CSC and register fees.
HB 56 - (Guilford) Jamestown charter amendment.
HB 187 - (Rutherford) Reconveyance of school land.
HB 198 - (Rutherford) School gymnasium construction.
HB 208 - (Caldwell) Lenoir school trustees election, as amended in House 2/12.
HB 230 - (Cumberland) Transferring ABC funds for annex.
HB 241 - (Chowan) Delinquent tax transfer.
HB 243 - (Moore) Register fees, as amended in House 2/19.
HB 244 - (Moore) Clerks fees.
HB 249 - (Montgomery) Mount Gilead water system.
HB 259 - Education board surplus property sale.
HB 269 - (Wake) County water and sewer lines.
HB 270 - (Wake) TB sanitorium managers.
HB 272 - (Wake) Officials salaries.
HB 274 - (Pender) Burgaw police jurisdiction extension.
HB 276 - (Granville) Oxford city hall sale.
HB 277 - (Granville) Oxford mayor court solicitor.
HB 278 - (Jones) Validating education board lease.
HB 279 - (Davidson) Lexington utilities commission finances.
HB 282 - (Alleghany) Clerk salary.
HB 283 - (Cumberland) Public drunkenness.
HB 286 - (Bertie) Reactivating town of Bertie.
HB 297 - (Person) Officials salaries.

Next session of House: 10:00 a.m., Friday, February 27, 1953.

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INSTITUTE OF GOVERNMENT

LEGISLATIVE SERVICE

GENERAL ASSEMBLY OF NORTH CAROLINA

DAILY BULLETIN

P. O. Box 1658 111 West Morgan St., Raleigh, N. C. Telephone 3-5515

BULLETIN NO. 38
Friday, February 27, 1953

Session: Senate -- 10:00 a.m.

PUBLIC BILLS INTRODUCED -- SENATE

SB 231 - Introduced by Royster

"To amend certain sections of the school laws." [Amends G.S. 115-84 to provide that county board of education may not invest in construction of new, or major alteration of existing, school facility unless in accordance with plans approved by state superintendent nor for more money than is made available. Related contracts must be written and executed copies filed with state superintendent. Project must be inspected and approved by representative of state superintendent and by administrative unit school superintendent before final acceptance and payment. Present law relates only to investment in new school houses and does not require executed contract copies to be filed with state superintendent or inspection of facility by his representative. Amends G.S. 115-221 to provide that interest rate of loan by State Board of Education from State Literary Fund be determined by State Board (instead of fixed 4%), and amends G.S. 115-223 to provide that interest rate of loan to school district by county board of education from funds borrowed from State Literary Fund be the same. Amends G.S. 115-353 by deleting eligibility requirements of state citizenship and graduation from 4 year standard college for office of county school superintendent, and by adding that superintendent's certificate is not required of present superintendents or of persons elected to that office prior to July 1, 1953. Amends G.S. 115-371 to permit State Board of Education to change present Oct. 1 date by which time in any given year children must be 6 years of age to be entitled to enrollment in that year. Amends G.S. 115-370 to add that local administrative units are liable for workmen's compensation for lunchroom as well as school employees paid by such units from special as well as local funds; amends G.S. 115-381 to delete provision exempting employees of school lunchrooms, not regularly employed otherwise in schools, from workmen's compensation benefits. Amends G.S. 115-376 to increase amount allowable , in lieu of school bus service, to parent or guardian of child authorized to attend out of district schools from $10.00 to $25.00 per school month. Contains no repealing clause or effective date.] To Education.

SB 236 - Introduced by Duncan

"To promote tourist trade in Western North Carolina to perpetuate the pioneer history, traditions and folklore of the Blue Ridge Mountains of Western North Carolina and to appropriate thirty-five thousand dollars to the 'Southern Appalachian Historical Association, Incorporated,' in aid of such objectives." [Citing strain on local residents in financing the Southern Appalachian Historical Association in producing and advertising historical pageant ("Horn in the West") which attracts many visitors to Blue Ridge mountains, appropriates $35,000 from General Fund to such Association for use in promoting and developing the annual pageant.] To Appropriations.

SB 242 - Introduced by Bason

"To amend Chapter 20 of the General Statutes to redefine special mobile equipment and to provide for issuance of a license plate for such equipment for identification purposes." [Effective July 1, 1953, rewrites G.S. 20-38(bb) to redefine special mobile equipment as every truck, truck-tractor, trailer, or semitrailer on which are permanently attached cranes, mills, well-boring or ditch digging apparatus, air compressors, electric welders or similar type apparatus or which have been converted into living or office quarters, or similar vehicles which are operated on highway only for purpose of getting to and from non-highway jobs and not for transportation of persons or property for hire. (Present definition applies to vehicles not designed or used primarily for transporting persons or property but incidentally moved on the highways.) Rewrites G.S. 20-51(c) to exempt from registration requirement implements of husbandry, farm tractors, road machinery and other vehicles not self-propelled that were designed for use off the highway and which are operated on the highway for purpose of going to and from non-highway projects. (Present exemption applies only to implements of husbandry which are incidentally operated on highways.) Deletes G.S. 20-51(d) which exempts special mobile equipment from registration requirement and adds new subsection to G.S. 20-87 (registration fees) to fix registration fee for special mobile equipment at $3 per license year or portion thereof. Act applies to licenses for years beginning after December 31, 1953.] To Public Roads.

SB 245 - Introduced by Kirkman

"To amend Chapter 62 of the General Statutes so as to limit the right to practice before the Utilities Commission to individuals authorized to practice law in the State of North Carolina, and to individuals authorized to practice law in other states which grant the reciprocal right to residents of this state, and, to a limited extent, in rate cases involving carriers of property, to persons authorized to practice before the Interstate Commerce Commission." [Adds G. S. 62-12.1 to permit parties to proceedings before Utilities Commission to be represented by attorneys licensed in N. C. or by attorneys licensed by other states which grant reciprocal right to residents of this state. Provides that individuals authorized to practice before ICC must be permitted to appear in proceedings before Utilities Commission involving fixing, regulation and determination of rates, fares, charges, services and practices of property carriers operating in state, except that such persons who are not attorneys and qualified to practice before Utilities Commission cannot represent any party on appeal from Commission under G.S. 62-26.6 or after final decision of Commission.] To Public Utilities.

LOCAL BILLS INTRODUCED -- SENATE

SB 226 - (Martin) Introduced by Horton

"To restore to the recorder's court of Martin County the right of trial by jury and to give said court jurisdiction concurrent with the superior court in divorce actions." [Repeals Ch. 183, 1951 Session Laws, and Ch. 113, 1945 Session Laws, to restore right to trial by jury, as it existed prior to passage of repealed chapters, in county recorder court. Sets aside first Monday of each month for trial of all jury cases which are to continue from day to day until completed unless such cases are continued. Gives recorder court concurrent, original and final jurisdiction with superior court in divorce actions and proceedings involving custody of children, and provides that procedure in such actions and proceedings and costs, fees and jury tax are to be same as provided for superior court. Provides for jury of 12 which may be composed entirely of talesmen to try divorce actions; jurors are to be summoned by CSC and sworn, empaneled and paid in same manner as tales jurors in superior court.] Passed three readings and sent to House.

SB 227 - (Edgecombe) Introduced by Weeks

"To authorize the Edgecombe County Alcoholic Beverage Control Board to expend not less than five nor more than twenty per cent of profits from operations for law enforcement purposes." [As title indicates; funds are to be used for

SB 211 - Introduced by Moody

The bill amends Chapter 20 of the General Statutes relating to special mobile equipment and to provide for issuance of a special plate for such equipment for identification purposes. [illegible] to define special mobile equipment [illegible] road roller, [illegible], tractor, or trailer on which are permanently mounted [illegible] apparatus, air compressors, welding machines or similar type apparatus [illegible] have been converted into [illegible] operated on highways only for the purpose of [illegible] for transportation of persons or property for hire. [illegible] vehicles not designed or used primarily [illegible] incidentally moved on the highways.) [illegible] requirements [illegible] vehicles not self-propelled [illegible] are operated on the highways for purposes of [illegible] (Present exemption applies only to [illegible] operated on highways.) [illegible] from registration requirement [illegible] to the registration fee [illegible] or portion thereof. [illegible] 1955.) To Public Roads.

SB 215 - Introduced by Stenson

The bill amends Chapter 62 of the General Statutes so as to limit the right to practice before the Utilities Commission to individuals admitted to practice law in the State of North Carolina, and to individuals [illegible] in other states which grant [illegible] reciprocal [illegible], and to a limited extent, to [illegible] persons [illegible] to practice before the [illegible] [illegible] parties in proceedings before [illegible] [illegible] [illegible] [illegible] [illegible] [illegible] [illegible] [illegible]

HOUSE BILLS INTRODUCED -- PASSED

HB 226 - (Similar) Introduced by Horton

[illegible] [illegible] [illegible] [illegible] [illegible] [illegible] [illegible] [illegible] [illegible] [illegible] [illegible] [illegible] [illegible]

SB 229 - (Companion) Introduced by Webb

[illegible] [illegible] [illegible] [illegible] enforcing ABC Act of 1937, and profits are to be determined by quarterly audits.] To Judiciary 1.

SB 228 - (Robeson) Introduced by Moore

"To provide for the election of the mayor and board of commissioners of the Town of Maxton." [Provides for election of mayor and 4 commissioners at next regular municipal election. Mayor is to serve for 2-year term; two candidates for commissioners with most votes at next election are to serve for 4-year terms and next two candidates are to serve for 2-year terms, with all commissioners to be elected thereafter for 4-year terms. Candidates for mayor and commissioner must file notice of candidacy with clerk at least 10 days before election and pay filing fee fixed by commissioners not in excess of $5.] To Counties, Cities and Towns.

SB 229 - (Robeson) Introduced by Moore

"To exempt certain volunteer firemen in the Town of Lumberton in Robeson County, from jury duty." [Beginning July 1, 1953, empowers Robeson CSC to excuse from jury duty any Lumberton volunteer fireman whose name appears on list of active volunteer firemen in good standing with own fire department and N. C. Firemen's Association submitted by fire chief on first day of Jan. and July each year.] To Counties, Cities and Towns.

SB 230 (Robeson) Introduced by Moore

"To create and establish the Maxton City Administrative Unit and to provide for its operation." [Creates school administrative unit, coterminous with Maxton Township, to be administered by city superintendent and board of 5 trustees named in bill. Trustees are to serve until first Monday in May, 1957, with successors to be elected in Nov. 1956 general election and quadrennially thereafter. Trustees must reside in administrative unit. Boundaries of unit may be changed by recommendation of county board of education and board of trustees with approval of State Board of Education. Supervision of Smiling School and its pupils is to be by county board of education and not by unit trustees.] To Education.

SB 232 - (Catawba) Introduced by Shuford

"To amend G.S. 105-345 relating to the discount for prepayment of taxes, as applied to Catawba County." [Amends G.S. 105-345 (6) to exempt county from provisions granting tax prepayment discounts of 2% if tax is paid prior to July 1, and 1 1/2% if paid during July. Prepayment discount is to be 1% where tax is paid prior to October except that when tax notice is not mailed to taxpayer by Sept. 15, 1% discount is allowed until Dec. 1.] To Counties, Cities and Towns.

SB 233 - (Halifax) Introduced by Crew

"To amend G.S. 152-5 in respect to coroner's fees in Halifax County." [Amends G.S. 152-5 to fix coroner's inquest fee at from $5 to $10, in discretion of county commissioners.] To Counties, Cities and Towns.

SB 234 - (Halifax) Introduced by Crew

"To amend Chapter 824 of the Session Laws of 1947 relating to the alcoholic beverages control board of Halifax County." [Amends Sec. 1 of cited chapter to provide that terms of present county ABC board members expire 30 days after bill's ratification, by which time county commissioners are to appoint 5 members to serve for two years (present law provides for appointment by act of General Assembly). Board vacancies are to be filled by county commissioners (instead of by ABC board). Amends provisions of Sec. 5 of cited chapter relative to transfer of monies and property from outgoing to incoming board to make them applicable to transfer from present board to its successor, and adds requirements: (1) that audit and inventory of county ABC control system be made every three months, a copy to go to county commissioners; (2) that disbursement vouchers be countersigned by county auditor. Amends Sec. 5(3)(b) of cited chapter to authorize expenditure of county board of education's share of ABC profits for school construction or additions. Amends Sec. 5 (1) of cited chapter by adding that rewards

determined by county commissioners are to be taxed as costs to defendant(s) convicted or pleading guilty of illicit manufacture of whiskey and paid by CSC to officer(s) who seized still and captured defendant(s).If reward so taxed is not collected in 30 days of such conviction or plea, it may be paid pursuant to G.S. 18-25. Any costs thereafter collected in such case are to be retained by County. Repeals Ch. 1033, Sec. 3, 1951 Session Laws which provides that salaried county law enforcement officers are not entitled to rewards, from public funds, except as they may be taxed as costs to defendant for seizure of illegal whiskey, or for capture of illegal stills or persons illegally possessing, selling or manufacturing whiskey.] To Counties, Cities and Towns.

SB 235 - (Halifax) Introduced by Crew
"To extend the registration period preceding the municipal election to be held in the Town of Roanoke Rapids on May 5th, 1953." [Provides that, prior to cited election, registration books are to be opened March 21, remain open through April 18 and be re-opened April 25 for challenge day.] Passed three readings and sent to House.

SB 237 - (Davidson) Introduced by Hundley
"To tax and regulate professional bondsmen and others in Davidson County." [Makes it unlawful to do business as professional bondsman without paying county $100 annual license fee. Bondsman must file schedule of financial condition to be approved by CSC, who must demand security from any bondsman whose financial condition is deemed inadequate. Bondsman must execute bond receipt (drawn as provided in bill) in triplicate, with original for defendant and copies for bondsman and CSC, and make report to CSC every 3 months on number and amount of bonds signed. Prohibits bondsmen from (1) soliciting business by attorney, court official, or law enforcement officer or to pay, give or lend such persons anything of value for such services, (2) soliciting business, directly or indirectly, in any governmental building, or (3) charging in excess of 5% of bond amount ($5 minimum permitted). No person bailed is to be surrendered while his case is pending unless bondsman returns 1/2 of charge made. Prohibits bondsmen, court officials or law enforcement officers from recommending any attorney to any person incarcerated or bailed or to advise with respect to law or court procedure. No sheriff, policeman, constable or jailer or their wives shall give bail for pay or as agents for bondsmen or recommend any bondsman or attorney. Prohibits any attorney, court official or law enforcement officer from accepting pay from bondsmen for services rendered except fees fixed by law or in customary legal practice. Violation of act is misdemeanor, punishable by fine or imprisonment in discretion of court, and upon conviction court must suspend license of bondsman for 2 years. Authorizes commissioners to revoke bondsman license after hearing and upon satisfactory proof of violation, with right of appeal to superior court; if license is revoked, prohibits reissuance for 2 years. Revocation of either municipal or county license automatically revokes any other license issued to bondsman. Act does not apply to surety or bonding companies licensed by Department of Insurance.] To Counties, Cities and Towns.

SB 238 - (Forsyth) Introduced by Graves
"To authorize the board of comissioners of Forsyth County to fix the fees to be charged by the register of deeds of Forsyth County." [As title indicates. Repeals Ch. 129, 1951 Session Laws, which sets forth schedule of fees to be charged by register. Effective, July 1, 1953.] To Counties, Cities and Towns.

SB 239 - (Forsyth) Introduced by Graves
"To fix the salaries of the sheriff, register of deeds and clerk of the superior court of Forsyth County, and to provide for the continuation of a special trust fund created by Chapter 147 Session Laws 1943 for said clerk of

superior court's office." [Fixes annual salaries (payable monthly or semi- monthly in discretion of county commissioners) of following officials at amounts indicated, effective Jan. 1, 1953: (1) sheriff, $8,500 (plus $1,500 for expenses as now provided), (2) register, $6,500 (in lieu of all fees and commissions), and (3) CSC, $10,000 (in lieu of all fees and commissions). Funds held by county for CSC in special trust fund (pursuant to Ch. 147, 1943 Session Laws) are to continue in trust, and income received by CSC after Jan. 1, 1953 from investments of unallocated funds is to be paid to county and invested in such fund. Trust fund is to be used to cover losses occuring in clerk's office not due to wilful misconduct of clerk, but county is not to be liable for losses beyond amount in trust fund. Fund terminates upon qualification of CSC (other than present incumbent) and reverts to county general fund. Similar trust funds are to be set up for each succeeding clerk.] To Counties, Cities and Towns.

SB 240 - (Cumberland) Introduced by Sanford

"To amend Chapter 303 of the Public Local Laws of 1935 relating to the adjustment of unpaid taxes in Cumberland County." [Amends Sec. 1 of cited chapter to permit county commissioners to adjust, compromise and collect taxes six or more years delinquent at beginning of fiscal year (instead of taxes unpaid prior to 1933).] To Finance.

SB 241 - (Cumberland) Introduced by Sanford

"To provide for an election to be held in the city of Fayetteville in Cumberland County to determine whether certain sections of the General Statutes shall be amended insofar as they pertain to the number and election of the members of the city council and the mayor of the city of Fayetteville." [Amends G.S. 160-340 to provide that city council is to consist of four, rather than 5, members. Amends G. S. 160-345 to provide that mayor be elected at same time and in manner as councilmen by voters of city at large for 2 year term, rather than by city council from among own members for term for which he was elected to council. Sec. 3 of bill provides amendments are not effective until approved in municipal election next following bill's ratification. Sec. 5 states that "election herein provided for shall be called and conducted in the same manner as the primary elections are now conducted." Sets out ballot form for such approval or disapproval.] To Finance.

SB 243 - (Transylvania) Introduced by Gash

"Authorizing the board of county commissioners of Transylvania County to provide for the employment of a clerical assistant in the office of the clerk superior court and to appropriate the sum of nine hundred ($900.00) dollars annually for additional clerical assistance for the office of the clerk superior court." [Repeals Ch. 1207, 1951 Session Laws (which authorized county commissioners to appropriate from general fund $300 annually to furnish clerical assistance for CSC). Authorizes county commissioners to provide for employment and fix and pay salary of clerical assistant to CSC. In lieu or in addition, commissioners may appropriate $900 annually for CSC clerical assistance.] To Counties, Cities and Towns.

SB 244 - (Polk and Stokes) Introduced by Marshall

"Amending Chapter 987, Session Laws of one thousand nine hundred forty-nine, relating to the funding of interest on bonds of the municipalities of Walnut Cove and Columbus." [Amends cited chapter as it amends G. S. 160-378 (Municipal Finance Act), to provide that no interest accruing after 1954 (instead of 1950) may be funded or refunded.] To Finance.

SENATE CALENDAR ACTION

PUBLIC BILLS

SB 29 - Joint bank accounts. Postponed to 3/2.

SB 42 - Substituted service in civil actions. Amended to provide in section setting out requirements for service of process by publication that clerk is to mail copies of notice of service of process to each party whose name and address appears in pleadings or affidavits and to certify that notice has been so mailed; passed second and third readings.

SB 47 - Adoption consent when parents incompetent. Committee substitute adopted; committee substitute provides that if court finds as fact that one or both parents are unable to consent to adoption because of having been adjudicated mentally incompetent, court may appoint suitable person or superintendent of public welfare of county in which child resides, as next friend, to give or withhold consent. Person so appointed is to make full investigation as to whether either parent is incurably insane and report to court. Superintendent of public welfare or licensed agency is to notify adopting parents if real parents are found to have been adjudged incompetent. Passed second and third readings.

SB 51 - Housing bonds tax exemption. Reported favorably.

SR 66 - (Joint resolution) Repealing world government resolutions. (Senate committee substitute 2/26). Passed second and third readings.

SB 83 - Parking meter receipts for off-street parking, as amended in House 2/26. Received from House for concurrence in House amendment; concurred.

SB 107 - Closing woodlands to prevent fires. Passed second and third readings.

SB 114 - Lumbee Indians. Passed second and third readings.

SB 119 - Special license plates for ham operators, as amended in Senate 2/26. Passed third reading.

SB 126 - Issuing executions. Passed second and third readings.

SB 138 - Clarifying realty anti-lapse law. Passed second and third readings.

SB 142 - Authorizing optometry certificate revocation. Amended to make bill effective from and after July 1, 1953; passed second and third readings.

SB 146 - Korean veterans benefits. Passed second and third readings.

SB 170 - Reorganizing State Ports Authority. Passed second and third readings.

SB 173 - House trailer license fees, as amended in Senate 2/26. Passed third reading.

SB 192 - Authorizing pistol caps sales. Reported favorably.

SB 211 - Extending civil defense functions. Reported favorably.

SB 212 - Permitting series stock issuance. Reported favorably.

HB 167 - Oyster dredge weight limits. Passed second and third readings.

HB 193 - Raising pharmacist license fees. Passed second reading.

HB 206 - Machinery identification marks, as amended in House 2/20. Withdrawn from Public Roads; re-referred to Agriculture.

HB 207 - Renewing summons by endorsement, as amended in House 2/20. Passed second and third readings.

HB 261 - Cash bond forfeits, as amended in House 2/20. Passed second and third readings.

HB 289 - Medical license fees. Passed second reading.

HB 380 - Non-liability for record destruction. Received from House; sent to Judiciary 2.

LOCAL BILLS

SB 13 - (Graham) Jailer fees, as amended in House 2/13. Received from House for concurrence in House amendment; sent to Salaries and Fees.

SB 145 - (Madison) School district bond act. Reported favorably.

SB 148 - (McDowell) County court concurrent jurisdiction. Amended; passed second and third readings.

SB 158 - (Cumberland) Extending Hope Mills police jurisdiction. Passed second and third readings.
SB 159 - (Lee) Postponing revaluation. Reported favorably.
SB 188 - (Union) Deputy register pay. Passed second and third readings.
SB 189 - (Union) Deputy CSC pay. Passed second and third readings.
SB 190 - (Madison) Decreasing Hot Springs limits. Passed second and third readings.
SB 193 - (Wake) Rewriting Raleigh election procedures. Passed second and third readings.
SB 194 - (Wake) Selling state property to Raleigh. Passed second and third readings.
SB 195 - (Wake) Raleigh property exchanges. Passed second and third readings.
SB 196 - (Wake) Raleigh zoning hearings. Passed second and third readings.
SB 197 - (Wake) Tax information for Raleigh. Re-referred to Finance.
SB 198 - (Wake) Raleigh driveway regulation. Passed second and third readings.
SB 199 - (Cleveland) Revising Boiling Springs charter. Passed second reading.
SB 201 - (Transylvania) Abolishing special financial statements. Passed second and third readings.
SB 203 - (Sampson) Volunteer firemen jury exemption. Passed second and third readings.
SB 204 - (Franklin) Jury trial fee. Passed second and third readings.
SB 205 - (Gates) Validating conveyances. Passed second and third readings.
SB 206 - (Iredell) CSC fees. Passed second reading.
SB 226 - (Martin) Transferring jury trials repeal. Passed three readings.
SB 235 - (Halifax) Roanoke Rapids elections registration. Passed three readings.

HB 28 - (Rockingham) Reidsville recorder court jury trials. Passed second and third readings,
HB 41 - (Bertie) Bay rum prohibition exemption. Amended to add Hertford to counties exempted from provisions of Ch. 1096, 1951 Session Laws, which prohibits sale of bay rum other than to pharmacies, licensed barbers or on doctor's prescription; passed second and third readings.
HB 56 - (Guilford) Jamestown charter amendment. Recalled from enrolling office.
HB 155 - (Burke) Tax discounts and penalties. Reported favorably.
HB 229 - (Mecklenburg) Davidson tax prepayment discounts. Reported favorably.
HB 260 - (Burke) Prohibiting pre-1931 tax collection. Reported favorably.
HB 281 - (Rowan) Postponing revaluation. Reported favorably.
HB 284 - (Harnett) Dunn volunteer firemen jury exemption. Passed second and third readings.
HB 294 - (Dare) Bay rum prohibition exemption. Passed second and third readings.
HB 298 - (Alamance) Authorizing off-year revaluation. Reported favorably.
HB 318 - (Hertford) Deputy sheriffs. Received from House; sent to Counties, Cities and Towns.
HB 322 - (Rockingham) Reidsville court assistants. Received from House; sent to Counties, Cities and Towns.
HB 329 - (Carteret) Prohibiting dangerous trash on beaches. Received from House; sent to Counties, Cities and Towns.
HB 339 - (Anson) Reward for capturing whiskey stills. Received from House; sent to Counties, Cities and Towns.
HB 340 - (Perquimans) County commissioners salaries. Received from House; sent to Salaries and Fees.
HB 350 - (Catawba) Newton fire truck sale. Received from House; sent to Counties, Cities and Towns.
HB 369 - (Vance) Constable compensation. Received from House; sent to Counties, Cities and Towns.
HB 371 - (Wake) Validating Garner officials acts. Received from House; sent to Counties, Cities and Towns.
HB 382 - (Madison) Register fees. Received from House; sent to Salaries and Fees.
HB 383 - (Madison) CSC fees. Received from House; sent to Salaries and Fees.

HB 407 - (Scotland) Delinquent taxes to general fund. Received from House; sent to Finance.

HB 409 - (Scotland) Repealing parking meter authority. Received from House; sent to Counties, Cities and Towns.

HB 422 - (Duplin) Wallace city hall sale. Received from House; sent to Counties, Cities and Towns.

Note: The Senate changed Rule 32 to change the final date for introduction of bills prepared by departments, agencies or institutions of the state and of all local bills from March 1 to March 10.

Next session of Senate: For consideration of local bills only, 9:30 a.m., Saturday, February 28, 1953.

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BULLETIN NO. 38
Friday, February 27, 1953

Session: House -- 10:00 a.m.

PUBLIC BILLS INTRODUCED -- HOUSE

HB 494 - Introduced by Satterfield and Shreve

"To amend G.S. 116-100 relating to graduate and professional studies for Negro students." [Adds paragraph to G.S. 116-100 (which authorizes the payment of tuition and other expenses of Negro students attending graduate and professional schools for courses offered by University of N. C. but not by N. C. College at Durham) to provide for such travel grants as may be determined reasonably necessary by trustees of N. C. College or of Agricultural and Technical College at Greensboro, and as may be approved by Superintendent of Public Instruction. Grants will be computed on basis of the "approximately nearest school" in which the applicant can get services at reasonable cost comparable to those furnished at UNC. Evidence may be required of student showing reasonableness and necessity of attending school chosen. Students who have received grants for out-of-state graduate or professional study during previous 12 months and who now lack not over 15 semester hours for Master's degree or 3 semesters work for Doctor's, may be allowed to continue at school where now enrolled, and such grants may be allowed as may be determined reasonable by trustees of N. C. College and A & T College and approved by Superintendent of Public Instruction. If service for graduate or professional study is provided at a regional school, grants for similar service at another institution may not exceed charges at the regional school.] To Education.

HB 495 - Introduced by Maddrey

"To amend certain sections of the school laws." [Identical with SB 231 digested in Senate section of today's bulletin.] To Education.

HB 496 - Introduced by Crissman

"To define and regulate the sale of re-refined oil." [Effective July 1, 1953, adds Article 2-A to G.S. Ch. 119. "Re-refined oil" is defined as lubricating oil for internal combustion engines which has been re-refined or processed in whole or in part from previously used lubricating oil. Makes it unlawful to sell, offer for sale, or deliver re-refined oil in sealed container in this state unless container is labeled, showing brand, name and address of person re-refining oil or placing it in container, SAE number, and net contents. Label must be approved and registered by Gas & Oil Inspection Division. Oil must meet specifications for SAE viscosity number indicated in bill. Makes violation of article misdemeanor punishable by fine of between $500 and $1000 or imprisonment up to 1 year, or both.] To Judiciary 2.

HB 498 - Introduced by Uzzell

"To amend Chapter 163 of the General Statutes relating to depositing ballots in ballot boxes." [Amends G.S. 163-168 to eliminate therefrom the provision that voters, on leaving the voting booth must fold their ballots to conceal the face and offer them to the judge of election who is to deposit them in the ballot box, thus allowing voters themselves to deposit the ballots. Also eliminates provision that ballots may not be unfolded outside voting booth until counted.] To Elections and Election Laws.

HB 503 - Introduced by Turner

"To amend G.S. 130-37 relating to elections of sanitary district boards." [Adds to cited section a provision requiring the county board of elections to canvass returns from a primary or general election (for sanitary district boards) and certify the results within 10 days to the CSC. Directs CSC to take and file oaths of office of persons elected to sanitary district board.] To Counties, Cities and Towns.

HB 505 - Introduced by Turner

"Prohibiting the use of firearms within one and a half miles of the corporate limits of any city with population of over seventy thousand." [As title indicates, prohibits firearm use in designated areas except (1) by law enforcement officers in discharge of duty; (2) in duly licensed shooting galleries; or (3) when area prescribed is also within corporate limits of any other incorporated city or town. Violation is a misdemeanor, punishable by fine not to exceed $25 or imprisonment in discretion of court.] To Counties, Cities and Towns.

HB 510 - Introduced by Etheridge

"To amend Section 47-100 of Volume 2A of the General Statutes relating to the validation of certain acknowledgements of deeds." [Amends cited section to validate deeds dated and registered prior to January, 1953, (instead of January, 1910, as now provided) on which acknowledgement or proof of execution was taken by an officer who was himself a grantor.] To Judiciary 1.

HB 511 - Introduced by Etheridge

"To validate deeds and other instruments acknowledged or proved before United States Commissioners." [Validates all instruments permitted or required to be registered which have been proved or acknowledged before a U. S. Commissioner prior to January 1, 1953.] To Judiciary 1.

HB 517 - Introduced by Edwards and Branch

"To amend the motor vehicle law of North Carolina to require the operator of a motor vehicle to dim or depress the headlamps thereof when following or meeting another vehicle." [Amends G.S. 20-181 to require every motor vehicle operator, at time when headlights are required to be lighted, to dim or depress the beams of headlights on vehicle operated by him when (1) approaching within 200 yards another motor vehicle traveling in opposite direction, and (2) approaching within 200 feet of another motor vehicle traveling in same direction. (Present law requires only that lights be dimmed when another vehicle is met.)] To Roads and Highway Safety.

HB 518 - Introduced by Edwards and Branch

"To amend the motor vehicle laws to prohibit the use of a bright light upon the rear of a vehicle." [Adds provision to G.S. 20-129(d) to prohibit operation on highways of any vehicle bearing a lamp casting a white or clear beam of light to the rear, except when such vehicle is being operated backwards.] To Roads and Highway Safety.

HB 519 - Introduced by Edwards and Branch

"To amend Chapter 20 of the General Statutes of North Carolina and to permit a vehicle to pass another vehicle on the right." [Effective January 1, 1954, permits overtaking and passing on the right of a motor vehicle under conditions permitting such movement in safety and without driving off the pavement or main-traveled portion of the roadway (1) when vehicle overtaken is about to make a left turn, (2) upon street or highway wide enough for movement of two or more lanes of traffic in each direction provided such street or highway is not obstructed by parked vehicles, or (3) upon a one way street or any roadway restricted to one way traffic with unobstructed width sufficient for two or more lines of moving vehicles.] To Roads and Highway Safety.

HB 520 - Introduced by Edwards and Branch

"To amend the motor vehicle law so as to permit the use of red lights on the front of school buses and of vehicles owned and operated by volunteer firemen or members of rural fire departments." [Amends G.S. 20-130.1 to add school buses and vehicles operated in performance of official duties by rural firemen to list of vehicles permitted to display red light visible from the front of such vehicle.] To Roads and Highway Safety.

HB 521 - Introduced by Edwards and Branch

"To amend the uniform driver's license act with reference to the application of minors for licenses." [Amends G.S. 20-11 to permit issuance of operator's license or learner's permit to applicants between ages of 16 and 18 if application is signed by applicant and by (1) parent, (2) guardian, (3) husband, (4) wife, (5) employer, or (6) some responsible adult person, if applicant has no parent, guardian, husband, wife, or employer residing in this state.] To Roads and Highway Safety.

HB 522 - Introduced by Edwards and Branch

"To amend the uniform driver's license act so as to permit instruction at night." [Amends G.S. 20-12 to delete provision limiting instruction in operation of motor vehicle to daylight hours only.], To Roads and Highway Safety.

HB 530 - Introduced by Falls

"Relating to the distribution of Supreme Court Reports." [Amends G.S. 147-45 to raise from three to six the number of copies of Supreme Court Reports to be distributed to Utilities Commission.] To Judiciary 2.

HB 531 - Introduced by Venters

"To amend Article 13A of Chapter 131 of Volume 3B of the General Statutes known as the Hospital Licensing Act for the purpose of requiring the licensing of convalescent homes." [Amends G.S. 131-126.1(a) by including convalescent homes within definition of the term "hospital" for purposes of hospital licensing act. Convalescent home is described as an institution "advertised, announced, or maintained for the express or implied purpose of providing nursing or convalescent care for three of more unrelated persons," and is carefully distinguished from a home for the aged and infirm, to which the hospital licensing act does not apply.] To Health.

LOCAL BILLS INTRODUCED -- HOUSE

HB 490 - (Jackson) Introduced by Brown

"To authorize the Jackson County Board of Commissioners to levy special taxes for certain special purposes." [Authorizes commissioners to levy special taxes not to exceed amount indicated on $100 valuation for special purposes as follows: (1) 6¢ for salaries and expenses of county accountant and his assistants, including county's share of social security taxes on such salaries; (2) 11¢ for salaries and necessary expenses incurred in connection with farm and home demonstration programs, including county's share of social security on such salaries; (3) 3¢ for salary and expenses of veterans' service officer and other expenses of maintaining veterans' service office; and (4) 2¢ for salary and expenses of forest fire warden incurred in connection with forest fire protection program. Validates and ratifies taxes levied by commissioners in tax and calendar year of 1952 to supplement funds used in payment of salaries and services listed above.] To Finance.

HB 491 - (Jackson) Introduced by Brown

"To provide for the fixing of salaries of county employees except those elected by the people and to fix the salary of the commissioners of Jackson County and mileage for the office of sheriff." [Authorizes commissioners to fix salaries, wages and other compensation of all county employees not elected by people. Effective January 1, 1953, fixes salary of commissioners (excluding chairman of board) at $300 per annum plus $10 per day for all meetings, other than regular meetings, attended. Effective April 1, 1953, amends Ch. 17, Sec. 8, 1947 Session Laws to raise from 5¢ to 7¢ the amount per mile paid, upon approval of commissioners, to sheriff for travel outside county on official business.] To Salaries and Fees.

HB 492 - (Mecklenburg) Introduced by Goodman

"Relating to the carrying of concealed weapons in Mecklenburg County." [Makes it misdemeanor for any person in county to carry concealed about his person any weapon commonly known as a bowie knife, dirk, dagger, knife with blade over three inches long, straight-edge razor, ice pick, pistol or broken glass of a kind which could be used to inflict serious bodily injury, with intent to use such weapon unlawfully against another. Carrying of such weapon on or about the person is prima facie evidence of violation. Imposes following penalties: (1) for first offense, fine not less than $100 or imprisonment for not less than one year, or both, in discretion of court; and (2) for second offense, fine not less than $200 or imprisonment for not less than two years, or both, in discretion of court. Does not apply to persons using or preparing to use such weapons in their business or employment.] To Judiciary 1.

HB 493 - (Wake) Introduced by Whitley

"To rewrite Section 5 of Chapter 316 of the Private Laws of 1903, relating to the charter of the Town of Wendell, so as to provide for the holding of a primary for nomination of candidates for the municipal election." [Provides for primary election for nomination of municipal officers, to be held under same rules as general election on second Monday preceding general election. Election judges and officials appointed for general election are to serve at primary when practicable. Candidates for nomination must file at least 10 days prior to primary and pay $5 fee, and names must be posted at town hall or town office. Provides for printing and form of ballots under supervision of clerk. Election judges must return results to clerk within 6 hours after polls close. Clerk, under supervision of mayor and commissioners, is to canvass returns publicly on day after primary and post results at town hall or town office. Candidate receiving majority of votes cast for mayor or constable and candidates receiving a majority of votes cast for commissioners are declared only candidates whose names may appear on ballot at general election. If only one candidate files for mayor or for constable, or if only five candidates file for board of commissioners, their names are to be placed on ballot without necessity of holding primary. Authorizes commissioners to appoint a town manager responsible to, and to perform duties prescribed by, board of commissioners.] To Judiciary 2.

HB 497 - (Guilford) Introduced by Crissman, Shreve and Hunt

"To authorize Guilford County and the City of High Point to erect a governmental building for their joint use." [Authorizes county commissioners and city council to construct at South Main and Green Streets in High Point a building to (1) provide space for Guilford County superior court (High Point division), sheriff's department, tax supervisor's department, and for housing prisoners or for any other county governmental function performed in High Point; and (2) provide place for High Point municipal court, city police department, jail, or any other city governmental function. Any of above agencies and departments may be excluded from use of building in discretion of commissioners and council. Authorizes commissioners and council to determine (at joint meeting, or in separate session if both bodies so elect) by majority vote of each body all matters relating to erection, use and disposition of such building, including: (1) who is to bear initial cost of construction; (2) in whose name title to land or building shall vest, temporarily or permanently; (3) extent of use of building by each governmental unit; (4) rent, if any, to be paid by each unit; and (5) final disposition of property. Both governmental units are authorized to purchase at any time the interest of the other on credit on such terms as are mutually agreed upon. As long as Guilford County and the City of High Point own the property jointly, and for ten years thereafter, no interest in such property may be sold by one party without consent of other; otherwise, either party may sell its interest at private sale when authorized by its governing body. High Point city council may authorize bond issue in accordance with municipal finance act to finance erection of building.] To Local Government.

HB 499 - (Montgomery) Introduced by Allen

"To repeal Chapter 175 of the Session Laws of 1951 relating to the publication of receipts and expenditures of public funds in Montgomery County." [Repeals cited chapter, which required county commissioners and education board to publish monthly summary of receipts and itemized list of expenditures of county tax funds, and required commissioners to publish monthly complete copy of minutes of every meeting.] To Local Government.

HB 500 - (Montgomery) Introduced by Allen

"To authorize the board of county commissioners to fix the number of assistants, deputies and other employees which may be employed in the offices of the clerk of the superior court, the sheriff and the register of deeds of Montgomery County and to fix the compensation and expense allowance of certain other offices." [Effective July 1, 1953. Authorizes county commissioners to fix number of deputies, clerks and other assistants for the CSC, register of deeds, and sheriff (who are to make the appointments), and to fix compensation for each. Commissioners also authorized to furnish CSC, register, and sheriff, in addition to compensation now fixed by law, necessary expense allowances for equipment. Fixes salary for chairman and members of board of commissioners at $25 per month for regular meetings, and $10 per day for special and adjourned meetings. Repeals conflicting provisions of Ch. 363, 1951 Session Laws.] To Local Government.

HB 501 - (Montgomery) Introduced by Allen

"To authorize the board of county commissioners of Montgomery County to convey certain property to the Lowe-Warren Post No. 159 of the American Legion." [Authorizes county commissioners to convey to Legion Post the lot in Troy on which the Legion Hut is situated, consideration to be amount determined by board as that heretofore advanced by board to Post for construction of the Hut.] To Local Government.

HB 502 - (Guilford) Introduced by Turner

"To amend G.S. 143-129, G.S. 143-131 and G.S. 130-51 relating to the letting of contracts and the purchase of motor vehicles by the Bessemer sanitary district." [Amends G.S. 143-129 to raise from $1000 to $2000 the amount which Bessemer sanitary district may spend in a single purchase without submitting the proposed purchase to competitive bidding after advertisement, as provided in the section. Amends G.S. 143-131 to permit Bessemer sanitary district to use informal bid procedure in contracts for construction, repair work, and purchases, when the expenditure is between $1000 and $2000 (rather than between $200 and $1000 as under general law). Provides that the second and third paragraphs of G.S. 130-51, which establish procedure for letting of contracts in excess of $1000 by sanitary districts, shall not apply to Bessemer sanitary district. Provides that G.S. 143-129 and 143-131, which set out procedure for letting public contracts, shall not apply to the Bessemer sanitary district as to motor vehicle purchase if vehicle owned by the district is traded as part of purchase price.] To Counties, Cities and Towns.

HB 504 - (Guilford) Introduced by Turner

"To amend Chapter 18 of the General Statutes of North Carolina, relating to the issuance of beer and wine licenses in the City of Greensboro, North Carolina." [Adds to G.S. 18-77, which relates to the issuance of beer and wine licenses, a provision authorizing the city council of Greensboro, by ordinance to prohibit certain acts on licensed premises relating to lotteries, gambling, toilet facilities, lighting, interior view of premises, and prohibiting employment of persons on licensed premises who are not entitled to a beer or wine license. Adds provisions to G.S. 18-129, (which gives the State ABC Board "sole power" to determine the qualifications and fitness of applicant to sell beer) and to G.S. 18-135, (which relates to the issuance and revocation of beer licenses and permits) provision that State Board shall not issue a permit to sell wine or beer within Greensboro limits until city council determines right of applicant to receive city license.] To Counties, Cities and Towns.

HB 506 - (Guilford) Introduced by Turner

"To repeal Chapter 747, Session Laws of 1949, entitled, an act authorizing the governing body of the City of Greensboro to temporarily invest its funds derived from the sale of bonds or from other sources, and to provide for the investment of funds derived from the sale of bonds and surplus city funds." [Repeals cited law (which authorized investment of bond proceeds not in current use). Directs Greensboro city council, mayor, city manager, and city treasurer, acting jointly with authority granted by city ordinance, to analyze the amount of cash on hand in general and special funds and proceeds from sale of city bonds, and when of opinion cash is in excess of that required for current needs, to deposit or invest excess funds in types of securities indicated in bill. Investments must be such that funds may be readily converted as needed. Earnings from investment of bond proceeds may be used to pay interest or principal on bonds or as increment to proceeds but cannot be used for purpose other than one for which bonds were authorized. Securities or investments may be purchased and sold privately without notice, but purchases may not be above, nor sales below, the market price. Sets out procedure whereby U. S. government securities purchased and sold in New York may be handled through banking agency.] To Counties, Cities and Towns.

HB 507 - (Guilford) Introduced by Turner

"To amend Chapter 37, Private Laws, 1923, as amended, which is designated as 'Charter of City of Greensboro,' whereby the jurisdiction of police officers is increased." [Adds to Sec. 61 of cited law provisions as title indicates. Authorizes Greensboro police to arrest with or without warrant any person violating a law in the officer's presence. If person flees, officer may pursue and arrest anywhere in Guilford County. Whenever Greensboro officer learns in any manner that a person charged with violation of city ordinance or commission of misdemeanor or felony is fleeing or attempting to flee, the officer may pursue such person and arrest without warrant anywhere in Guilford County. Officers enforcing law outside city limits are to have same powers as if operating within the city, are to be considered performing governmental function, and in case of injury or death, are to be entitled to workmen's compensation coverage.] To Counties, Cities and Towns.

HB 508 - (Guilford) Introduced by Turner

"Amending Chapter 1140 of the 1949 Session Laws, entitled, 'An act to amend Section 18-76 of the General Statutes of North Carolina' to make said chapter applicable to the City of Greensboro in Guilford County." [G.S. 18-76 sets procedure and fees for county retail licenses to sell beer and wine. Ch. 1140, 1949 Session Laws raised fees set in G.S. 18-76 as applied to Guilford County only. This bill makes Ch. 1140 apply to Greensboro also.] To Counties, Cities and Towns.

HB 509 - (Guilford, Catawba, Davidson, Edgecombe, Forsyth, Rowan) Introduced by Turner

"To amend Chapter 224, Private Laws, 1927, as amended, entitled, 'An act conferring power on certain cities and towns to make certain local improvements and prescribing the procedure therefor and for the assessment of all or a part of the cost thereof." [Sec. 14(a) of cited chapter (which applies to Greensboro, Hickory, High Point, Salisbury, Tarboro, and Thomasville) now provides for assessment of total cost of street pavement improvement (less costs which may be charged to street railway company) to abutting landowners on a per foot of frontage basis. Bill amends Sec. 14(a) to permit city, by ordinance, to elect to bear a part of such costs, where corner lots are used as single lots, in accordance with following formula (distance figures are maximum distances which may be reduced in ordinance enacted): (1) if neither of abutting streets has been paved, lot is exempt from assessment for improving first of such streets to extent of 20% of first 150 feet, or 30 feet, whichever is less; (2) if street abutting on side of lot is paved, and intersecting street is to be paved, lot is exempt from assessment for 50% of frontage thereon or 30 feet, whichever is less; (3) if street

abutting on front of lot is paved, and intersecting street is to be paved, lot is exempt from assessment for 40% of frontage thereon or 60 feet, whichever is less. Such exemptions apply only in areas zoned Residence A, Residence B, or Apartments. Section 14(b) of cited chapter now provides for the assessment of cost of constructing or reconstructing sidewalks against abutting landowners on a per foot of frontage basis. Bill amends section 14(b) to grant city same authority, according to same formula, where sidewalks are being constructed or reconstructed.] To Counties, Cities and Towns.

HB 512 - (Bladen) Introduced by Clark.

"To prohibit carnivals and similar shows in Bladen County." [Excepting "harmless amusements on beaches or in connection with resort hotels," prohibits taking part in, or aiding or abetting the operation of any carnival or vaudeville show by any non-resident, and subjects violators to $500 fine or imprisonment in discretion of court, or both. Subjects to $250 fine or imprisonment in discretion of court, or both, any person who hires, leases or permits premises of which he is owner, lessee or tenant, or over which he has control, to be used by any non-resident carnival or vaudeville show.] To Local Government.

HB 513 - (Franklin) Introduced by Yarborough

"To amend the laws relating to jury trials in the mayor's court in the town of Franklinton." [Repeals Ch. 818, 1951 Session Laws, which provided for transfer to Franklin County recorder's court of any case before Franklinton mayor's court in which jury trial was demanded. Re-enacts Ch. 1095, Sec. 5, paragraph 2, 1947 Session laws, and adds a second paragraph thereto to provide for jury trials in Franklinton mayor's court when requested under same procedure now provided for jury trials before justices of the peace. Requires summoning of jurors from Franklinton Township (list of jurors to be supplied by clerk of board of commissioners on demand by mayor). Authorizes Franklinton governing body to fix jurors fees not to exceed $3 per day, whether or not they actually serve, for each day attended upon summons. Provides for $20 advance jury fee to be deposited with court by any defendant demanding jury trial. Such fee is forfeited to court and used by town for operating expenses of court if defendant forfeits bail, enters plea of nolo contendere, pleads guilty, or is convicted. Fee is returned to defendant only if action is nol prossed or if defendant is convicted, in original action or on appeal. Effective May 1, 1953.] To Counties, Cities and Towns.

HB 514 - (Rutherford) Introduced by Mills

"To amend Chapter 68 of the Private Laws, Extra Session, 1913, relating to the charter of the Town of Ellenboro, in Rutherford County." [Amends section 3 of cited chapter to provide for biennial, rather than annual, elections for elective town officers.] To Counties, Cities and Towns.

HB 515 - (Cleveland) Introduced by Falls

"To amend G.S. 14-346.1 relating to the sale of bay rum by making the section applicable to Cleveland County." [Cited section prohibits sale of bay rum to any except licensed physicians, licensed barbers, or on prescription of licensed physician. This bill makes section apply to Cleveland County.] To Propositions and Grievances.

HB 516 - (Cleveland) Introduced by Falls

"To regulate the fees of justices of the peace in Cleveland County." [As title indicates, sets out detailed schedule of fees, effective July 1, 1953.] To Salaries and Fees.

HB 523 - (Pitt and Lenoir) Introduced by Kilpatrick and Worthington

"To extend the corporate limits of the Town of Grifton in Pitt and Lenoir Counties." [Extends town limits to include territory described in bill.] To Local Government.

HB 524 - (Sampson) Introduced by Vann
"To create a bird sanctuary within the territorial limits of Roseboro in Sampson County." [Establishes bird sanctuary within Roseboro town limits and forbids hunting, killing or trapping of any birds within such limits. Violation constitutes misdemeanor, punishable by fine up to $50 or imprisonment up to 30 days.] To Local Government.

HB 525 - (Sampson) Introduced by Vann
"To fix the fees and compensation of certain officers in Sampson County." [Sets out schedule of fees for register of deeds and fixes annual salaries as follows: CSC, $3900 plus $350 for services as juvenile judge; register of deeds, $3600 plus $480 for services as clerk to board of county commissioners; deputy CSC and deputy register, $2622 each.] To Salaries and Fees.

HB 526 - (Chatham) Introduced by Scott
"To require the county commissioners of Chatham County to turn into the general fund all taxes collected for the year 1950 and all prior years." [As title indicates, requires commissioners to turn into general fund all taxes for such years collected hereafter.] To Counties, Cities and Towns.

HB 527 - (New Hanover) Introduced by Hewlett by request
"To place Mrs. Mary Robinson on the pension roll of the employees retirement system of the City of Wilmington." [Places Mrs. Robinson on pension roll to receive $25 per month until her remarriage or death, first such payment to be due and payable March 1, 1953.] To Counties, Cities and Towns.

HB 528 - (Alamance) Introduced by Long
"To authorize the City of Burlington to sell certain property in the City of Burlington." [Authorizes Burlington to sell at public auction and upon such terms and conditions as the governing body may determine a small portion of a tract of land originally acquired for a public park, which portion is now cut off from main park tract by a wide and busy thoroughfare.] To Local Government.

HB 529 - (Alamance) Introduced by Long
"To authorize the City of Burlington, in Alamance County, to trade and exchange certain lands with Burlington Community Building, Inc." [Authorizes governing body to sell or exchange 3 1/2 acres of land at private sale and to convey such land to named corporation in exchange for another strip of land upon such terms and conditions as the governing body may determine.] To Local Government.

HOUSE CALENDAR ACTION

PUBLIC BILLS

SB 82 - Regulating intrastate railroad fares. Passed second and third readings.
SR 103 - (Joint Resolution) Disapproving ICC power extension. Passed second and third readings.
SB 172 - Vehicle license plates draft defaults. Received from Senate; sent to Judiciary 2.
SB 174 - School bus "for hire" exemption. Received from Senate; sent to Finance.
SB 176 - Altering motor vehicle numbers. Received from Senate; sent to Judiciary 1.

HB 180 - Plumbing and heating contractor licensing. Passed second reading.
HB 296 - First plane flight celebration commission. Passed second and third readings.
HB 313 - Cross-indexing criminal cases. Postponed to 3/3.
HB 314 - Cross-indexing old age assistance liens. Postponed to 3/3.

LOCAL BILLS

SB 113 - (Sampson) Extending Salemburg limits. Passed third reading.
SB 122 - (Randolph) Rewriting Staley charter. Passed third reading.
SB 226 - (Martin) Transferring jury trial repeal. Received from Senate; sent to Judiciary 2.
SB 235 - (Halifax) Roanoke Rapids elections registration. Received from Senate; placed on calendar for 3/2.

HB 186 - (Transylvania) Unused schools for community centers. Received from Senate; vote by which bill passed third reading reconsidered; amended to require county board of education when proposing to abandon any property in the county to post notice on property and at courthouse, and to require petition provided in the bill to be presented within 90 days of posting of such notice or, as to property already abandoned, within 90 days of ratification of act; passed third reading.
HB 316 - (Dare) Kill Devil Hills incorporation. Passed third reading.
HB 330 - (Buncombe) Biltmore Forest bus subsidy. Passed third reading.
HB 342 - (Mecklenburg) Sales under power of sale. Passed second and third readings.
HB 345 - (Cabarrus) Disorderly conduct. Passed second and third readings.
HB 360 - (Robeson) Validating Fairmont sale. Passed second and third readings.
HB 361 - (Robeson) Extending Fairmont limits. Passed third reading.
HB 370 - (Wake) Redefining Garner limits. Passed third reading.
HB 374 - (New Hanover) School teacher pensions. Amended to require 20 years service in public schools and attainment of age 60 (rather than 20 years service or attainment of age 60 with 10 years service immediately preceding application); passed second and third readings.
HB 377 - (Gates) Defining Eure school district. Passed second and third readings.
HB 381 - (Lee) County commissioners election. Re-referred to Local Government.
HB 385 - (Wilkes) Extending North Wilkesboro limits. Passed third reading.
HB 397 - (Person) Prohibiting taxi cab fare non-payment. Passed second and third readings.
HB 406 - (Rowan) Superior court summons execution fees. Clarifying amendment adopted; passed second and third readings.
HB 408 - (Scotland) Ratifying Laurinburg obligation issuance. Passed third reading.
HB 421 - (Duplin) Volunteer firemen jury exemption. Passed second and third readings.
HB 425 - (Martin) Jamesville primary and general election. Reported favorably.
HB 459 - (Randolph) Substitute county recorder. Passed second and third readings.
HB 461 - (Rutherford) Rutherfordton recorder court challenges. Passed second and third readings.
HB 467 - (Iredell) Warrant issuance by Mooresville police. Passed second and third readings.

Next session of House: For consideration of local bills only, 10:00 a.m., Saturday, February 28, 1953.

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INSTITUTE OF GOVERNMENT

LEGISLATIVE SERVICE

GENERAL ASSEMBLY OF NORTH CAROLINA

DAILY BULLETIN

P. O. Box 1658 111 West Morgan St., Raleigh, N. C. Telephone 3-5515

BULLETIN NO. 39
Saturday, February 28, 1953

Session: Senate -- 9:30 a.m., for consideration of local bills only.

PUBLIC BILLS INTRODUCED -- SENATE

SB 247 - Introduced by Bailey by request

"To amend Section 135-14 of the General Statutes of North Carolina (Volume 3) so as to include within the coverage of the pension therein provided employees who have served the state for a period of twenty years or more and who were sixty-five years of age or over on March 10th, 1943." [Amends G.S. 135-14 (providing for pension of certain public school teachers) to provide that any person who was an officer or employee of state for 20 years or more (whether service was consecutive or not) and was 65 years of age or more on or before March 10, 1943, is entitled to pension under provisions of Art. 1, Ch. 135 (retirement system for teachers and state employees).] To Appropriations.

LOCAL BILLS INTRODUCED -- SENATE

SB 246 - (Wake) Introduced by Bailey

"To create a civil service commission for city employees of the City of Raleigh other than police officers and firemen of the police and fire departments." [Repeals Ch. 293, 1939 Public-Local Laws, to provide for 5-member (instead of 3-member) Raleigh Civil Service Commission to be appointed within 10 days after ratification for 3-year terms by Wake resident superior court judge (instead of by governing body) who is to fill vacancies and appoint successors. Retains substance of 1939 act (modified to conform to city manager form of government) except as follows: (1) deletes provision for nomination of commission members by Raleigh Merchants' Association and city employees; (2) permits commission in formulating rules to prescribe that no attorney may appear in proceedings or hearings before commission; (3) provides that city personnel director, or if none, member of commission, is to act as secretary (compensation of secretary if member of commission is to be $250 per year); (4) provides for 3-member (instead of 2-member) quorum; (5) adds prosecuting attorneys and court clerk to list of exempted officials; and (6) deletes provisions for publication of notice of time and place of examinations.] To Counties, Cities and Towns.

SENATE CALENDAR ACTION

PUBLIC BILLS

HB 225 - Postponing quadrennial revaluation. Received from House; sent to Finance.
HB 296 - First plane flight celebration commission. Received from House; sent to Appropriations.

LOCAL BILLS

SB 159 - (Lee) Postponing revaluation. Passed second and third readings.
HB 55 - (Orange) Carrboro mayor's court jury trials, as amended in House 2/25. Received from House; sent to Courts and Judicial Districts.

HB 229 - (Mecklenburg) Davidson tax prepayment discounts. Passed second and third readings.
HB 260 - (Burke) Prohibiting pre-1931 tax collection. Passed second and third readings.
HB 281 - (Rowan) Postponing revaluation. Passed second and third readings.
HB 298 - (Alamance) Authorizing off-year revaluation. Passed second and third readings.
HB 316 - (Dare) Kill Devil Hills incorporation. Received from House; sent to Propositions and Grievances.
HB 330 - (Buncombe) Biltmore Forest bus subsidy. Received from House; sent to Finance
HB 337 - (Stokes) Officials salaries, as amended in House 2/26. Received from House; sent to Counties, Cities and Towns.
HB 338 - (Stokes) Records destruction, as amended in House 2/26. Received from House; sent to Courts and Judicial Districts.
HB 342 - (Mecklenburg) Sales under power of sale. Received from House; sent to Judiciary 1.
HB 345 - (Cabarrus) Disorderly conduct. Received from House; sent to Judiciary 1.
HB 360 - (Robeson) Validating Fairmont sale. Received from House; sent to Counties, Cities and Towns.
HB 361 - (Robeson) Extending Fairmont limits. Received from House; sent to Counties, Cities and Towns.
HB 370 - (Wake) Redefining Garner limits. Received from House; sent to Judiciary 2.
HB 377 - (Gates) Defining Eure school district. Received from House; sent to Education.
HB 385 - (Wilkes) Extending North Wilkesboro limits. Received from House; sent to Counties, Cities and Towns.
HB 397 - (Person) Prohibiting taxicab fare non-payment. Received from House; sent to Judiciary 2.
HB 408 - (Scotland) Ratifying Laurinburg obligation issuance. Received from House; sent to Counties, Cities and Towns.
HB 421 - (Duplin) Volunteer firemen jury exemption. Received from House; sent to Courts and Judicial Districts.
HB 459 - (Randolph) Substitute county recorder. Received from House; sent to Courts and Judicial Districts.
HB 461 - (Rutherford) Rutherfordton recorder court challenges. Received from House; sent to Courts and Judicial Districts.
HB 467 - (Iredell) Warrant issuance by Mooresville police. Received from House; sent to Judiciary 2.

Next session of Senate: 8:00 p.m., Monday, March 2, 1953.

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BULLETIN NO. 39
Saturday, February 28, 1953

Session: House -- 10:00 a.m., for consideration of local bills only.

PUBLIC BILLS INTRODUCED -- HOUSE

None.

LOCAL BILLS INTRODUCED -- HOUSE

HB 532 - (Wake) Introduced by Womble

"To amend the charter of the Town of Cary and to provide for the election and compensation of a mayor and commissioners for said town." [Rewrites Sec. 13, Ch. 210 of Private Laws of N. C. 1899 to effect purpose indicated in title. After terms of present mayor and commissioners expire in 1953, a mayor and 5 commissioners are to be elected at regular municipal election, the mayor and 2 commissioners for 4 year terms and 3 commissioners for 2 year terms; thereafter terms to be for 4 years. Authorizes town commissioners to appoint person to act for the mayor, or for any commissioners or officer during absence or sickness and to fill unexpired terms. Repeals Public-Local Laws of 1933, Ch. 215, which deals with salary of sheriff in Franklin County, apparently intending to repeal Private Laws of 1933, Ch. 215 which amends town charter with respect to mayor's and commissioners' salary.] To Counties, Cities and Towns.

HB 533 - (Wake) Introduced by Womble

"To amend Chapter 897 of 1949 Session Laws of North Carolina relating to the recorders court in the Town of Cary." [Makes corrective amendment to Ch. 897 of 1949 Session Laws, to indicate court was established by ordinance under G.S. Ch. 7. Amends Sec. 3 of cited law to eliminate provision setting $100 maximum monthly salary for recorder. Amends Sec. 24 which sets aside $5 in certain criminal cases for prosecuting attorney fee, to provide that aggregate of such fees in any calendar month in excess of $150 be paid to town.] To Judiciary 2.

HB 534 - (Wake) Introduced by Womble and Pou

"To amend Section 7-70 of the General Statutes, as relates to terms of civil court in Wake County." [Amends cited section to add 14 additional weeks (specified in bill) of civil court to Wake County superior court terms. Contains severability clause.] To Courts and Judicial Districts.

HB 535 - (Johnston) Introduced by Thomas and Coates

"To amend G.S. 9-25, relating to drawing grand juries in Johnston County." [Adds paragraph to cited section (which deals with grand juries in the various counties) to provide that grand jury drawn in Johnston County at August term shall serve until the following March term, and that jury drawn in March term shall serve until following August term. Grand juries must attend every term of superior court at which criminal cases may be tried. Judge presiding over civil, criminal, or mixed term may assemble grand jury to deliver additional charge and may discharge jury from further service and have another drawn to fill unexpired term. Makes grand jury subject to call at any time by presiding judge, solicitor, or foreman.] To Courts and Judicial Districts.

HB 536 - (Iredell) Introduced by Randall

"To amend G.S. 115-38 relating to the county board of education of Iredell County." [Amends G.S. 115-38 (providing for nomination and election of county boards of education) to provide that Iredell county board shall consist of seven members.] To Education.

HB 537 - (Cherokee) Introduced by Mauney by request

"To exempt certain volunteer firemen in the municipalities of Cherokee County from jury duty." [Effective July 1, 1953, empowers CSC of Cherokee County to excuse from jury duty any person whose name appears upon list of active municipal

volunteer firemen in good standing by each municipal fire department and N. C. Firemen's Association, to be submitted by each municipal fire chief on first day of January and July of each year.] To Courts and Judicial Districts.

HB 538 - (Cherokee) Introduced by Mauney by request
"To amend Chapter 194, Section 3 of the Session Laws of North Carolina, 1951, to provide that the county commissioners of Cherokee County shall have authority to employ one or more clerical assistants in the county auditor's office and to fix their salaries, in its discretion." [As title indicates; salaries are to be effective as of March 1, 1953.] To Counties, Cities and Towns.

HB 539 - (Mitchell) Introduced by McKinney
"To fix the salaries of certain officials in Mitchell County." [Fixes salary of assistant county accountant at $185 per month, until first Monday in December, 1954, and per diem allowance of commissioners at $10 per day for all general and special meetings attended. Authorizes commissioners to allow $50 per month to CSC for clerical assistant. Amends G.S. 153-180 to provide for payment of 50¢ per meal to jailer for each meal furnished to prisoners in county jail. Effective July 1, 1953.] To Salaries and Fees.

HB 540 - (Mitchell) Introduced by McKinney
"To amend G.S. 152-5, relating to the fees of the coroner in Mitchell County, and to authorize the county commissioners of said county to pay the annual premium on the bond of the coroner." [As title indicates. Coroner's fees are fixed at $10 for each day spent in holding an inquest over a dead body.] To Salaries and Fees.

HOUSE CALENDAR ACTION

PUBLIC BILLS

SB 47 - Adoption consent when parents incompetent. Received from Senate; sent to Judiciary 2.
SR 66 - (Joint Resolution) Repealing world government resolutions (Senate committee substitute 2/26). Received from Senate; sent to Federal and Interstate Cooperation.
SB 114 - Lumbee Indians. Received from Senate; sent to Propositions and Grievances.
SB 107 - Closing woodlands to prevent fires. Received from Senate; sent to Wildlife Resources.
SB 117 - Unlicensed driving penalties, as amended in Senate 2/26. Received from Senate; sent to Judiciary 2.
SB 126 - Issuing executions. Received from Senate; sent to Judiciary 2.
SB 138 - Clarifying realty anti-lapse law. Received from Senate; sent to Judiciary 1.
SB 146 - Korean veterans benefits. Received from Senate; sent to Veterans Legislation.
SB 170 - Reorganizing State Ports Authority. Received from Senate; sent to Conservation and Development.

LOCAL BILLS

SB 158 - (Cumberland) Extending Hope Mills police jurisdiction. Received from Senate; sent to Local Government.
SB 188 - (Union) Deputy register pay. Received from Senate; sent to Local Government.
SB 189 - (Union) Deputy CSC pay. Received from Senate; sent to Local Government.
SB 190 - (Madison) Decreasing Hot Springs limits. Received from Senate; sent to Local Government.
SB 193 - (Wake) Rewriting Raleigh election procedures. Received from Senate; sent to Elections and Election Laws.

SB 194 - (Wake) Selling state property to Raleigh. Received from Senate; sent to Judiciary 2.
SB 195 - (Wake) Raleigh property exchanges. Received from Senate; sent to Judiciary 2.
SB 196 - (Wake) Raleigh zoning hearings. Received from Senate; sent to Judiciary 2.
SB 198 - (Wake) Raleigh driveway regulation. Received from Senate; sent to Judiciary 2.
SB 201 - (Transylvania) Abolishing special financial statements. Received from Senate; sent to Local Government.
SB 203 - (Sampson) Volunteer firemen jury exemption. Received from Senate; sent to Courts and Judicial Districts.
SB 204 - (Franklin) Jury trial fees. Received from Senate; sent to Judiciary 1.
SB 205 - (Gates) Validating conveyances. Received from Senate; sent to Judiciary 2.

HB 41 - (Bertie and Hertford) Bay rum prohibition exemption, as amended in Senate 2/27. Received from Senate for concurrence in Senate amendment; postponed to 3/2.
HB 425 - (Martin) Jamesville primary and general election. Postponed to 3/2.

Note: SB 176 - Altering motor vehicle numbers, carried in House calendar action in Bulletin No. 38 as assigned to Judiciary 1, has been assigned to Judiciary 2.

Next session of House: 8:00 p.m., Monday, March 2, 1953.

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INSTITUTE OF GOVERNMENT

LEGISLATIVE SERVICE

GENERAL ASSEMBLY OF NORTH CAROLINA

BULLETIN OF LOCAL LEGISLATION

P. O. Box 1658 111 West Morgan St., Raleigh, N.C. Telephone 3-5515

WEEKLY BULLETIN

Note: Included in this Bulletin is a digest of all local legislation introduced or acted upon by the General Assembly during the week ending February 28, 1953, affecting your county or any municipality therein.

WAKE COUNTY

SB 193 - Introduced by Bailey, Feb. 25

"To amend Chapter 1184, Session Laws of North Carolina 1949, with respect of the conduct of municipal elections." [Repeals Sections 34 through 53 of cited act and rewrites election procedures for City of Raleigh. Makes following changes: (1) provides that all primary, general and special elections in city shall be conducted by county board of elections under general laws for state primary and general elections except as provided in bill; (2) changes time of primary from second Monday to second Saturday preceding general election; (3) removes provision permitting county board of elections to declare candidate for city council to be elected if he received majority of votes cast at primary (provision is retained where a single office is being voted on); (4) provides that special elections shall be conducted as provided in this bill and in general election laws rather than according to general laws for special municipal elections; (5) in recall elections, provides that recall primary is to be held not more than 60 days from date of clerk's certificate to county board that petition is sufficient, rather than not less than 10 or more than 40 days; (6) prohibits absentee voting in municipal elections; (7) provides that county registration books for city precincts shall be used in city elections, thus making registration with county good for all elections in city; (8) provides that registration books are not to be open after primary election; (9) requires city to pay one half of cost of new registration conducted in 1952 in Raleigh precincts; (10) requires city to pay one half cost of new equipment necessary for holding elections in city; (11) authorizes county board of elections (which conducts all city elections) to fix pay of judges, registrars, and clerks of elections in city; (12) provides for appointment of judges and registrars for city elections on non-partisan basis.]

Feb. 27, passed Senate; Feb. 28, received in House; sent to Election and Election Laws.

SB 194 - Introduced by Bailey, Feb. 25

"To authorize the Governor of North Carolina, with the approval of the Council of State, to sell and convey to the City of Raleigh certain property within the City of Raleigh now belonging to the State of North Carolina." [As title indicates. Sets out boundaries of property authorized to be sold.]

Feb. 27, Passed Senate; Feb. 28, received in House; sent to Judiciary 2.

SB 195 - Introduced by Bailey, Feb. 25

"To amend Section 70 of Chapter 1184, Session Laws of 1949 (being the charter of the City of Raleigh) to permit the exchange of old equipment in conjunction with the purchase of new equipment." [Amends cited section to permit exchange or trade-in of any of city's personal property as condition of purchasing city equipment,

provided bid advertisements specify property to be exchanged or traded.]
Feb. 27, passed Senate; Feb. 28, received in House; sent to Judiciary 2.

SB 196 - Introduced by Bailey, Feb. 25
"To amend Section 100 (f) of Chapter 1184, Session Laws of 1949 (The charter of the City of Raleigh) by striking out the words 'hold its public hearing or' appearing in line 8 of said section." [Amends cited section to repeal provision forbidding city council from holding public hearings on zoning district boundaries and regulations until it has received planning commission's final report.]
Feb. 27, passed Senate; Feb. 28, received in House; sent to Judiciary 2.

SB 197 - Introduced by Bailey, Feb. 25
"To authorize the State Board of Assessment to make available to officials of the City of Raleigh tax information in its possession to assist in securing an adequate listing of property for taxation which is subject to taxation by the City of Raleigh." [Permits State Board of Assessment, on own motion or on request of tax supervisor or city council, to make available to tax supervisor or representative of city council information in Board's possession or in any report to Board or Department of Revenue or other State department to which Board has access, when Board is of opinion the information will assist in securing listing or in assessing taxable property. Such information is not to be divulged or published by such authorities and may be used only for facilitation of tax listing and assessing and presentation in administrative or judicial proceedings involving such lists or assessments.]
Feb. 26, Reported favorably by Senate committee; Feb. 27, re-referred to Senate Finance Committee.

SB 198 - Introduced by Bailey, Feb. 25
"To amend Section 22 (63) of Chapter 1184, Session Laws of North Carolina, 1949 (being the charter of the City of Raleigh)" [Amends cited section, relating to city council's power to regulate and prohibit driveways leading from private property to streets in the city, to add that city council may require property owner to pay cost of replacing curbs and gutters (when one or two driveways from any property are closed or when any driveway is reduced in width, by order of city council) to extent of reduction in width of existing driveway.]
Feb. 27, passed Senate; Feb. 28, received in House; sent to Judiciary 2.

SB 246 - Introduced by Bailey, Feb. 28
"To create a civil service commission for city employees of the City of Raleigh other than police officers and firemen of the police and fire departments." [Repeals Ch. 293, 1939 Public-Local Laws, to provide for 5-member (instead of 3-member Raleigh Civil Service Commission to be appointed within 10 days after ratification for 3-year terms by Wake resident superior court judge (instead of by governing body) who is to fill vacancies and appoint successors. Retains substance of 1939 Act (modified to conform to city manager form of government) except as follows: (1) deletes provision for nomination of commission members by Raleigh Merchants' Association and city employees; (2) permits commission in formulating rules to prescribe that no attorney may appear in proceedings or hearings before commissiong; (3) provides that city personnel director, or if none, member of commission, is to act as secretary (compensation of secretary if member of commission is to be $250); (4) provides for 3-member (instead of 2-member) quorum; (5) adds prosecuting attorneys and court clerk to list of exempted officials; and (6) deletes provisions for publication of notice of time and place of examinations.] To Counties, Cities and Towns.

HB 269 - Introduced by Pou, Womble and Whitley, Feb. 14 (County water and sewer lines)
Feb. 26, ratified.

HB 270 - Introduced by Pou, Womble and Whitley, Feb. 14 (TB sanatorium managers)
Feb. 26, ratified.

HB 272 - Introduced by Pou, Whitley and Womble, Feb. 14 (Officials salaries)
Feb. 26, ratified.

HB 370 - Introduced by Womble, Whitley and Pou, Feb. 20 (Redefining Garner limits)
Feb. 27, passed House; Feb. 28, received in Senate; sent to Judiciary 2.

HB 371 - Introduced by Womble, Whitley and Pou, Feb. 20 (Validating Garner officials acts)
Feb. 26, passed House; Feb. 27, received in Senate; sent to Counties, Cities and Towns.

HB 453 - Introduced by Pou and Womble, Feb. 25

"To repeal Chapter 74 of the Session Laws of 1949 relating to the appointment of assistant clerks of superior court for Wake County." [Repeals cited law which authorized superior court clerk to appoint, with written approval of resident judge, 3 assistant clerks if he deemed it necessary. Makes G. S. 2-10 apply to Wake County, which authorizes such appointment of 4 assistant clerks in counties having population over 80,000, which includes Wake.] To Counties, Cities and Towns.

HB 493 - Introduced by Whitley, Feb. 27

"To rewrite Section 5 of Chapter 316 of the Private Laws of 1903, relating to the charter of the Town of Wendell, so as to provide for the holding of a primary for nomination of candidates for the municipal election." [Provides for primary election for nomination of municipal officers, to be held under same rules as general election on second Monday preceding general election. Election judges and officials appointed for general election are to serve at primary when practicable. Candidates for nomination must file at least 10 days prior to primary and pay $5 fee, and names must be posted at town hall or town office. Provides for printing and form of ballots under supervision of clerk. Election judges must return results to clerk within 6 hours after polls close. Clerk, under supervision of mayor and commissioners, is to canvass returns publicly on day after primary and post results at town hall or town office. Candidate receiving majority of votes cast for mayor or constable and candidates receiving a majority of votes cast for commissioners are declared only candidates whose names may appear on ballot at general election. If only one candidate files for mayor or for constable, or if only five candidates file for board of commissioners, their names are to be placed on ballot without necessity of holding primary. Authorizes commissioners to appoint a town manager responsible to, and to perform duties prescribed by, board of commissioners.] To Judiciary 2.

HB 532 - Introduced by Womble, Feb. 28

"To amend the charter of the Town of Cary and to provide for the election and compensation of a mayor and commissioners for said town." [Rewrites Sec. 13, Ch. 210 of Private Laws of N. C. 1899 to effect purpose indicated in title. After terms of present mayor and commissioners expire in 1953, a mayor and 5 commissioners are to be elected at regular municipal election, the mayor and 2 commissioners for 4 year terms and 3 commissioners for 2 year terms; thereafter terms to be for 4 years. Authorizes town commissioners to appoint person to act for the mayor, or for any commissioners or officer during absence or sickness and to fill unexpired terms. Repeals Public-Local Laws of 1933, Ch. 215, which deals with salary of sheriff in Franklin County, apparently intending to repeal Private Laws of 1933, Ch. 215 which amends town charter with respect to mayor's and commissioners' salary.] To Counties, Cities and Towns.

HB 533 - Introduced by Womble, Feb. 28

"To amend Chapter 897 of 1949 Session Laws of North Carolina relating to the recorders court in the Town of Cary." [Makes corrective amendment to Ch. 897 of 1949 Session Laws, to indicate court was established by ordinance under G.S. Ch. 7. Amends Sec. 3 of cited law to eliminate provision setting $100 maximum monthly salary for recorder. Amends Sec. 24 which sets aside $5 in certain criminal cases for prosecuting attorney fee, to provide that aggregate of such fees in any calendar month in excess of $150 be paid to town.] To Judiciary 2.

HB 534 - Introduced by Womble and Pou; Feb. 28

"To amend Section 7-70 of the General Statutes, as relates to terms of civil court in Wake County." [Amends cited section to add 14 additional weeks (specified in bill) of civil court to Wake County superior court terms. Contains severability clause.] To Courts and Judicial Districts.

INSTITUTE OF GOVERNMENT
Legislative Service

WEEKLY LEGISLATIVE SUMMARY

P. O. Box 1658 111 West Morgan St., Raleigh, N. C. February 28, 1953

NOTE: This is the seventh of a series of weekly summaries prepared by the legislative staff of the Institute of Government on the work of the North Carolina General Assembly of 1953. It is confined to discussions of matters of general interest and major importance.

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During this eighth legislative week the Governor's budget recommendations and a record February total of 234 bills reached a General Assembly that was hard at work. There were these adjournment straws in the wind: the Senate rule prohibiting introduction of state department and local bills was pushed back from March 1 to March 10; the legislators accepted an invitation to visit Camp Lejeune on March 12; and the joint committee on university trustees set March 20 as the last date for accepting nominations. But adjournment depends entirely on how quickly a decision is reached on the money bills.

The Governor's Budget Message

News leaks had pretty well defined the program that Governor Umstead laid before legislators on Tuesday. There were the bond issues for permanent improvements--$50 million for public schools, $22 million for mental hospitals, and $15 million for institutions of higher learning and hospitals. The Governor would submit the first two to the people, have the legislature approve the third. Also recommended were additional appropriations for (1) a teacher pay increase over and above 10%; (2) schools--attendance officers, clerical assistance, and driver training; (3) minimum $50 monthly payments for all retired state employees with 20 years service when the retirement system went into effect; (4) the Ports Authority; (5) operation of mental hospitals; and (6) miscellaneous purposes such as agricultural research, stream pollution regulation, and more state revenue agents.

If all the recommendations are approved to the extent requested by the agencies involved, about $23 million will be needed plus about $9.2 million to meet debt service on the bonds. Since the appropriations bills have already exhausted all the surplus and all funds which can reasonably be expected under existing revenue measures (estimates endorsed by the Governor), additional revenues are going to be necessary. This the Governor realized when he referred legislators to his inaugural message, in which he suggested revision of sales tax exemptions if more revenues are needed. Only cash in sight: if the mental hospital bonds are approved, $5.7 million now appropriated will be freed for other uses.

Governmental Reorganization

The General Assembly continues to give approval to the Governor's suggestions for reorganization of state departments and agencies. Bills introduced this week would reduce the State Ports Authority membership from nine to seven (and add inland harbor improvement to its duties) and would reduce from seven to five the membership of the State Personnel Council. In each case the Governor would appoint an entirely new slate of members on July 1, 1953. Other measures (HB 426 and HB 399) would make the Assistant Director of the Budget and the Director of the Department of Conservation and Development serve at the pleasure of the Governor instead of for set terms. The bill calling for a nine-member commission to study possibilities of state government reorganization has passed the House and is now before a Senate committee.

In order to carry out House reapportionment required following each census under the constitutional formula, HB 395 would give Alamance and Rockingham Counties a new representative each at the expense of Cabarrus and Pitt. It joins the more controversial measures dealing with senatorial redistricting in committee.

Propositions and Grievances

The perennial controversy over the sale of intoxicating liquors is now before this General Assembly. On Wednesday long-awaited bills endorsed by the Allied Church League reached both House and Senate. Each provides for an "all or nothing" referendum on Nov. 3 to decide whether liquor, beer and wine are to be sold in every county or whether statewide prohibition is to prevail. A public hearing has already been scheduled for next Tuesday before the House committee on Counties, Cities and Towns, to which the House bill (HB 454) was referred in a surprise move by Speaker Bost. Many legislative observers believe that the bill has little chance of reaching the floor. The Senate bill (SB 185) was referred to the customary committee on Propositions and Grievances. Final committee action was deferred on the floundering veterans' bonus bill following a public hearing Thursday when veteran groups both vigorously supported and opposed the bill. The DAR-sponsored SR 66 (which seeks to repeal 1941 and 1949 world government resolutions) passed the Senate rewritten as a compromise to endorse a world federation but to rescind the resolution calling for a constitutional convention to consider amendments authorizing the U. S. to negotiate a world government constitution. To strengthen liquor law enforcement, a new bill (HB 484) would permit an officer to search a vehicle without a warrant whenever he has reasonable grounds to believe that the vehicle contains intoxicating liquor; another (HB 476) would make it a misdemeanor to aid minors under 18 in obtaining beer or unfortified wines. A Senate bill (SB 192) to permit the sale of cap pistol caps was reported favorably on Friday.

Management, Labor and Farming

Several of the week's important bills deal with the sensitive statutory machinery concerning management and labor. Perhaps the most controversial measure proposed would relax the State's often (but unsuccessfully) attacked labor law to permit union shops. Of equal importance is the proposal, introduced in answer to the Governor's inaugural call for a "reasonable and fair" minimum wage, setting a minimum wage of 55¢ an hour (20¢ less than the federal minimum) or $30 a week. Although not applying to government and agricultural workers and domestics, the measure would raise the wages of an estimated 50,000 workers an average of 7¢ an hour. Employers would be saved an estimated $5,000,000 this year by companion bills establishing new employer contribution rate schedules for unemployment insurance. These more flexible rates are based on a UNC Business Administration School study.

A bill intended to control vesicular exanthema and other diseases threatening pigs (and persons partial to pork) would regulate (by strict and probably costly measures) the feeding of raw garbage to pigs raised for sale. Tobacco farmers are more directly concerned with HB 195 which would cut tobacco warehouse commissions from 2 1/2% to 2%. Earnest and documented attacks on the 58-year old commission rate at Thursday's public hearing do not appear to have lessened the probability of an unfavorable report.

Miscellaneous

Motor Vehicles. A "common sense mechanical inspection law," another of the Governor's inaugural objectives, was introduced on Tuesday. Similar in structure to the Pennsylvania law, SB 183 requires annual inspection by state licensed local garages. Ham radio operators, seeking automobile license plates bearing their call letters, took hope when SB 119 passed the Senate on Friday.

Courts. The Judicial Council bill providing an extra resident superior court judge for six busy judicial districts was re-referred to committee this week at the instance of Rep. Womble of Wake, and in a public hearing on Thursday lawyers and court officials from Wake, Forsyth, and New Hanover Counties all argued that their districts also merited additional judges. The bill remains in committee.

Education. The House school consolidation subcommittee received two more proposals this week: HB 437 permits reopening of certain high schools in Martin County and takes its place beside Moore and Bertie bills before the group; HB 440 sets forth a method which would allow any school with less than required attendance to remain open if the county or parent governing body is willing to reimburse the State for any expense caused by the low attendance level.

INSTITUTE OF GOVERNMENT

LEGISLATIVE SERVICE

GENERAL ASSEMBLY OF NORTH CAROLINA

DAILY BULLETIN

P. O. Box 1658 111 West Morgan St., Raleigh, N. C. Telephone 3-5515

BULLETIN NO. 40
Monday, March 2, 1953

Session: Senate -- 8:00 p.m.

PUBLIC BILLS INTRODUCED -- SENATE

SB 248 - Introduced by Whitfield and Sanford

"To amend G. S. 113-135 relating to the powers and duties of the Board of Conservation and Development." [Amends G. S. 113-135 to authorize Board of Conservation and Development (through commissioners of game and inland fisheries and of commercial fisheries and their assistants) to enter into reciprocal agreements with coastal states on Atlantic seaboard with regard to finfish, shrimp and other migrating marine life.] To Interstate and Federal Relations.

SB 249 - Introduced by Copeland

"To amend Section 50-5 (subsection 6) of the General Statutes relative to the number of years separation required for absolute divorce in the case of incurable insanity." [Amends G. S. 50-5(6) to permit the court, in cases where husband and wife have lived apart for five consecutive years (instead of ten as at present) without cohabitation by reason of incurable insanity of one of them, to grant a decree of absolute divorce upon petition of the sane spouse. Does not apply to pending litigation.] To Judiciary 1.

SB 253 - Introduced by Bailey

"To amend Section 103-4, Volume 2C, of the General Statutes of North Carolina for the purpose of designating Good Friday in each year as a legal holiday." [Amends cited section to effect purpose indicated in title. Deletes Easter Monday from list of public holidays but retains proviso that Easter Monday and 30th of May "shall be holidays for all state and national banks only."] To Propositions and Grievances.

LOCAL BILLS INTRODUCED -- SENATE

SB 250 - (Yadkin) Introduced by Reavis

"To amend Chapter 165 of the Session Laws of 1949, relating to the salaries of certain officials in Yadkin County." [Amends cited chapter to increase annual salaries of following officials as indicated: CSC and register of deeds, from $2500 to $3,000; sheriff, from $2800 to $3300 plus such expense allowance as county commissioners deem appropriate; county accountant and tax supervisor, from $2250 to $2400 and from $300 to $700 for preparing tax books; tax collector, from $2250 to $2500 plus tax certificate sales fees allowed by board of commissioners. Effective July 1, 1953.] To Salaries and Fees.

SB 251 - (Yadkin) Introduced by Reavis

"To amend Chapter 153 of the General Statutes relating to the authority of the county commissioners of Yadkin County to designate sites for county buildings." [Amends G.S. 153-9(9) to give special approval (required by that section before new

site for county building may be located more than one mile from old site) to county commissioners to designate new site within 3 miles of old site.] To Counties, Cities and Towns.

SB 252 - (Yadkin) Introduced by Reavis
"To amend G. S. 7-70 relating to the terms of superior court in Yadkin County in the seventeenth judicial district." [Rewrites G.S. 7-70 to fix terms of superior court. Effective July 1, 1953.] To Courts and Judicial Districts.

SENATE CALENDAR ACTION

PUBLIC BILLS

SB 29 - Joint bank accounts. Amended to limit amount in joint bank accounts which by agreement may be subject to absolute ownership in survivor to $5,000. Provides that 1/2 of deposit in excess of $5,000 is to become absolute property of survivor not subject to claims against deceased co-owner but subject to retention by bank for inheritance taxes under G.S. 105-24; remaining 1/2 of deposit in excess of $5,000 also goes to survivor but is subject to claims against deceased co-owner after all other personal property assets (including specific bequests) have been exhausted for payment of debts. Provides that amount received by survivor is not part of deceased's personal estate for purposes of alloting widow's allowance under G.S. 28-149. Passed second and third readings.
SB 51 - Housing bonds tax exemption. Postponed to 3/3.
SB 192 - Authorizing pistol caps sales. Passed second and third readings.
SB 211 - Extending civil defense functions. Passed second and third readings.
SB 212 - Permitting series stock issuance. Postponed to 3/3.

HB 193 - Raising pharmacist license fees. Passed third reading.
HB 289 - Medical license fees. Passed third reading.

LOCAL BILLS

SB 145 - (Madison) School district bond act. Passed second reading.
SB 156 - (Gaston) Voter qualification for school election. Reported favorably.
SB 165 - (Davidson) Thomasville school property transfer. Passed second and third readings.
SB 177 - (Alexander and Lee) Dispossessing tenants, as amended in Senate 2/25. Passed third reading.
SB 199 - (Cleveland) Revising Boiling Springs charter. Passed third reading.
SB 206 - (Iredell) CSC fees. Passed third reading.

HB 155 - (Burke) Tax discounts and penalties. Passed second and third readings.

Next session of Senate: 12 noon, Tuesday, March 3, 1953.

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BULLETIN NO. 40
Monday, March 2, 1953

Session: House -- 8:00 p.m.

PUBLIC BILLS INTRODUCED -- HOUSE

HB 543 - Introduced by Goodman of Mecklenburg and Falkner

"To clarify the duties and powers of the Commissioner of Labor as to the inspection of common carriers doing business in or operating within the State of North Carolina." [Amends G.S. 95-4(d), (e) and (f) (relating to duty of commissioner of labor to enforce inspection laws governing named businesses, to visit and inspect such businesses and to prosecute violations of such laws) to specify that common carriers by rail, motor, water and air and express companies are included in businesses whose inspection laws commissioner is to enforce.] To Manufacturers and Labor.

HB 549 - Introduced by Taylor of Warren

"To amend Section 14 of Chapter 87 of the General Statutes of North Carolina, relating to the issuance of building permits." [Cited section requires anyone applying to any municipal building inspector for a building permit for a job to cost more than $15,000 to prove (1) that he is duly licensed under G.S. Ch. 87, Art. 1 and (2) that he has paid the license tax necessary to qualify to bid or contract for work for which permit has been applied. Bill changes $15,000 figure to $25,000.] To Judiciary 2.

HB 550 - Introduced by Taylor of Warren

"To amend Section 1 of Chapter 87 of the General Statutes of North Carolina defining a general contractor." [Cited section defines a general contractor as any person bidding upon or constructing any building, highway, sewer main, grading or any improvement or structure where the cost of the undertaking is $15,000 or more. Bill rewrites section to raise $15,000 figure to $25,000.] To Judiciary 2.

HB 552 - Introduced by Pou

"To repeal General Statutes 58-182 through 58-188.2 relative to deposits by insurance companies and to enact in lieu thereof a uniform deposit law." [Repeals G.S. 58-182 through 58-188.2, which require foreign or alien fire, marine, fidelity, surety, or casualty insurance companies to deposit securities with insurance commissioner for protection of local policyholders, and which set out procedures for handling deposits and enforcing claims unpaid by such insurance companies. Adds new Sections 58-183.1 through 58-183.8 to define types of insurers and other terms. Provides that no foreign or alien insurance company, except a life insurance company, may do business in state unless securities of not less than $100,000 are deposited with insurance commissioner of N. C. or an official of another state for benefit of all policyholders in U. S. If deposit is made with official of another state, insurer must furnish N. C. insurance commissioner with authenticated certificate. If deposit is made with commissioner, he must issue certificate of deposit when needed by company to do business in another state. Commissioner may on request of insurer deposit such security with any N. C. trust company. State is then responsible for safe keeping of securities. Solvent insurer may receive income from deposit, exchange securities of equal or greater value, or inspect deposit. Provision is made for return of deposit when policyholders are protected. Does not change requirement that alien insurers make deposit when alien's capital deemed insufficient, but all other deposits heretofore required of foreign or alien companies must be released when this act is complied with.] To Insurance.

HB 553 - Introduced by Greene

"Relating to the use, storing, handling, transportation and possession of liquefied petroleum gases." [Adds G.S. 119-49.1 to authorize commissioner of agriculture (through superintendent of weights and measures and his deputies or inspectors) to enter (with or without formal warrant) any place or building where liquefied petroleum gas is used, stored, handled, transported or possessed to inspect,

test, and determine if such use and installation of equipment or appliances is in conformity with law and rules adopted under G.S. 119-49. Grants additional authority to commissioner of agriculture to promulgate rules relating to accuracy of weighing or measuring devices used in sale and delivery of such gas. Makes violation of such rules a misdemeanor punishable under G.S. 119-51.] To Propositions and Grievances.

HB 557 - Introduced by Dean

"To change the punishment of violation 20-7 of the General Statutes so that same will be in the jurisdiction of a justice of the peace." [Amends subsection (o) of G.S. 20-7 to set punishment for violations of the section (which relates to operators' and chauffeurs' licenses) at fine of between $10 and $50 or imprisonment up to 30 days, instead of minimum of $25 or 30 days or both, thus placing violation within trial jurisdiction of JP.] To Roads and Highway Safety.

LOCAL BILLS INTRODUCED -- HOUSE

HB 541 - (Franklin) Introduced by Yarborough

"To authorize the commissioners of the Town of Louisburg to convey certain property to the board of education of Franklin County." [Authorizes commissioners to convey a tract of land described by metes and bounds in bill to education board subject to such rights, easements and rights of way as they may deem proper to reserve.] To Education.

HB 542 - (Franklin) Introduced by Yarborough

"To amend Chapter 12 of the Session Laws of 1951 relating to the salary of the judge of the recorder's court of Franklin County." [Effective July 1, 1953, amends cited chapter to raise annual salary of judge of Franklin County recorder's court from $2000 to $2400.] To Counties, Cities and Towns.

HB 544 - (Wayne) Introduced by Kemp

"To amend Chapter four hundred and seventy-five of the Public-Local Laws of North Carolina of one thousand nine hundred and nineteen relating to the office of auditor of Wayne County." [Amends cited chapter to (1) repeal provisions for election of county auditor on first Monday in December 1920, and biennially thereafter and (2) authorize county commissioners to appoint county auditor to serve until first Monday in December, 1954, and to appoint new auditor biennially thereafter. Provides that auditor is to (1) serve as treasurer without extra compensation (though commissioners may take extra duties into consideration when fixing his salary), (2) execute same bond now required of treasurer (premium to be paid by county), and (3) collect and receive fees to which treasurer is entitled and credit them to general fund (if directed to do so by commissioners).] To Local Government.

HB 545 - (Wayne) Introduced by Kemp

"To amend Section 153-115 of the General Statutes relating to county accountant in Wayne County." [Amends G.S. 153-115, defining office and duties of county accountant, to permit Wayne County commissioners to appoint the county accountant to serve as county treasurer.] To Local Government.

HB 546 - (Wayne) Introduced by Kemp

"To amend G.S. 115-382 relating to the examination of local records for amounts due to local school funds as applied to Wayne County." [Exempts Wayne County from provisions of first paragraph of cited section which requires county superintendent of public instruction to examine periodically proceeds from dog taxes, poll taxes, and county court and JP fees, fines and forfeitures to see that all such funds accruing to school fund are properly accounted for and to report any erroneous accountings found to the solicitor of the superior court and to the State Board of Education.] To Local Government.

HB 547 - (Catawba) Introduced by Leinbach
"To amend Chapter 286, Public-Local Laws of 1933, as amended by Chapter 137, Public Laws of 1937, and Chapter 1229 Session Laws of 1951, relating to fees of officers of Catawba County." [Amends Sec. 1(a) of Ch. 1229, 1951 Session Laws, to raise limits within which county commissioners may fix supplementary compensation of CSC for services as county recorder court clerk from $60-$100 to $100-$150 per month. Amends Sec. 1(a), Ch. 137, Public-Local Laws of 1937 (as amended by Ch. 292, 1947 Session Laws and Ch. 1229, 1951 Session Laws) to raise amounts within which commissioners may fix compensation of deputy CSC or stenographer from $150 - $250 per month to $175 - $225 per month. Fixes limits within which commissioners may fix salary of assistant CSC at $300 - $350 per month.] To Salaries and Fees.

HB 548 - (Polk) Introduced by Brantley
"To authorize the board of county commissioners of the County of Polk to turn into the general fund all delinquent taxes for the year 1949 and prior years which may be now collected." [As title indicates.] To Counties, Cities and Towns.

HB 551 - (Johnston) Introduced by Coates and Thomas
"Relating to the salary of the solicitor of the recorder's court of Johnston County." [Repeals Public-Local Laws 1913, Ch. 374, Sec. 2, and Public-Local Laws 1929, Ch. 444, and all existing laws relating to compensation of solicitor of Johnston County recorder's court. Beginning July 1, 1953, salary of such solicitor is to be set by county commissioners.] To Local Government.

HB 554 - (Bertie) Introduced by Speight
"Authorizing Bertie County to make appropriations for the Bertie County Agricultural Fair." [Authorizes county commissioners to appropriate from ABC profits up to $1500 each fiscal year to Bertie County Agricultural Fair, Inc. or to other persons to aid operation of a fair on terms the commissioners deem to best interest of development of agriculture, animal husbandry, and good forestry practices in county.] To Local Government.

HB 555 - (Bertie) Introduced by Speight
"To validate tax levies and tax sales of Bertie County." [Validates all acts of county commissioners in listing property and levying taxes for 1951 and 1952. Validates advertisements and sales of lands for failure to pay taxes and acts of commissioners and tax collector in connection therewith for 1951 and 1952. Does not affect pending litigation.] To Judiciary 2.

HB 556 - (Sampson) Introduced by Vann
"To create a cemetery commission for the Town of Roseboro and designate other purposes of its existence." [Creates Roseboro Cemetery Commission of 5 members to be named (and vacancies filled) by town commissioners for staggered terms of 1-5 years, with successors serving 5-year terms. Members are to serve without compensation, elect own officers, and adopt rules of procedure. Commission is to maintain town cemetery; it may accept gifts, and if money is given with income only to be used, town board must invest in securities allowed for guardianship investments. On request of commission, town board must call special election, with special registration, on question of levying ad valorem tax of 10¢ per $100 valuation for cemetery care. If majority of town voters approve, annual levy is to be collected and turned over to town treasurer for use and under control of commission, along with gifts. Cemetery funds must be segregated from town funds.] To Judiciary 2.

HB 558 - (Alamance) Introduced by Long
"To authorize the board of county commissioners of Alamance County to determine the salary of the clerk of the superior court and other officials of Alamance County." [Repeals Ch. 113, 1951 Session Laws, which fixed the salaries of CSC, register of deeds and sheriff, and authorizes county commissioners to fix those salaries (to be paid in equal monthly installments as full payment for all services rendered county in any capacity).] To Judiciary 1.

HB 559 - (Alamance) Introduced by Long
"To fix fees in Alamance County for certain officers service fees." [Sets out schedule of fees to be charged by constables, sheriff and deputies.] To Judiciary 1.

HB 560 - (Alamance and Orange) Introduced by Long
"To provide a procedure for the nomination of candidates in the regular municipal elections of the Town of Mebane." [After 1953 municipal election, provides that elections for mayor and commissioners are to be held at times and under provisions of G.S. Art. 3, Ch. 160 (regulation of municipal elections); commissioners are to make election rules not inconsistent with act and general law. Provides for election of mayor and commissioners at large. Candidates (qualified electors) must file notice with clerk on form set out in bill not earlier than 60 nor later than 30 days before election and pay $2 filing fee (forfeited in case of withdrawal) and must withdraw not later than last filing date. Provides for preparation of nonpartisan ballots.] To Local Government.

HOUSE CALENDAR ACTION

PUBLIC BILLS

SB 42 - Substituted service in civil actions, as amended in Senate 2/27. Received from Senate; sent to Judiciary 2.
SB 119 - Special license plates for ham operators, as amended in Senate 2/26. Received from Senate; sent to Roads and Highway Safety.
SB 142 - Authorizing optometry certificate revocation, as amended in Senate 2/27. Received from Senate; sent to Judiciary 2.
SB 173 - House trailer license fees, as amended in Senate 2/26. Received from Senate; sent to Finance.

HB 180 - Plumbing and heating contractor licensing. Passed third reading.

LOCAL BILLS

SB 148 - (McDowell) County court concurrent jurisdiction, as amended in Senate 2/27. Received from Senate; sent to Courts and Judicial Districts.
SB 159 - (Lee) Postponing revaluation. Received from Senate; sent to Local Government.
SB 235 - (Halifax) Roanoke Rapids election registration. Passed second and third readings.

HB 41 - (Bertie and Hertford) Bay rum prohibition exemption, as amended in Senate 2/27. Received from Senate for concurrence in Senate amendment; concurred.
HB 425 - (Martin) Jamesville primary and general elections. Passed second and third readings.

Next session of House: 12 noon, Tuesday, March 3, 1953.

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INSTITUTE OF GOVERNMENT

LEGISLATIVE SERVICE

GENERAL ASSEMBLY OF NORTH CAROLINA

DAILY BULLETIN

P. O. Box 1658 111 West Morgan St., Raleigh, N. C. Telephone 3-5515

BULLETIN NO. 41
Tuesday, March 3, 1953

Session: Senate -- 12:00 noon

PUBLIC BILLS INTRODUCED -- SENATE

SB 255 - Introduced by Barnhardt

"To amend G.S. 160-198 with respect to the authority of the Municipal Board of Control to create municipal corporations and validating municipal charters heretofore granted by said board." [Amends G.S. 160-198 (2) by deleting provision requiring that, before Municipal Board of Control may enter an order creating a territory into a town, it must appear that such organization will better serve the interests of "said persons and the public." Adds G.S. 160-198 (6) to validate all incorporations of municipal corporations by the Board of Control and all lawful acts of officers of such municipal corporations done in performance of their official duties.] To Judiciary 1.

LOCAL BILLS INTRODUCED -- SENATE

SB 254 - (Franklin) Introduced by Hobgood

"To amend Chapter 895 of the Session Laws of 1947 relating to the holding of carnivals in Franklin County." [Amends Sec. 1 of cited chapter (which prohibits carnivals in Franklin County 15 days before and after county fair) so that act does not apply to fair or carnival held by Franklin Firemen's Fair seven or more days before or after county fair dates.] To Counties, Cities and Towns.

SENATE CALENDAR ACTION

PUBLIC BILLS

SB 51 - Housing bonds tax exemption. Passed second and third readings.
SB 109 - Preserving pine trees. Reported favorably as to committee substitute.
SB 143 - Special trout licenses. Reported favorably.
SB 212 - Permitting series stock issuance. Passed second and third reading.
SB 249 - Shortening time for insanity divorces. Reported favorably.

HB 113 - Creating future interests in personalty. Reported favorably.
HB 180 - Plumbing and heating contractor licensing. Received from House; sent to Judiciary 1.
HB 248 - Trustees for adult incompetents. Reported favorably.

LOCAL BILLS

SB 145 - (Madison) School district bond act. Passed third reading.
SB 156 - (Gaston) Voter qualification for school election. Passed second and third readings.

SB 178 - (Alexander, Burke, Caldwell and Catawba) Prohibiting disposals in Hickory Lake. Reported favorably.
SB 209 - (Sampson) Increasing county commissioners. Reported favorably.
SB 213 - (Halifax) Postponing revaluation. Reported favorably.
SB 222 - (Cumberland) Tax review completion date. Reported favorably.
SB 223 - (Cumberland) Fayetteville chiefs civil service status. Reported favorably.
SB 224 - (Cumberland) Regulating taxicabs. Reported favorably.
SB 225 - (Edgecombe) Sheriff and constables fees. Reported favorably.
SB 227 - (Edgecombe) ABC enforcement expenditures. Reported favorably.
SB 228 - (Robeson) Maxton officials election. Reported favorably.
SB 229 - (Robeson) Lumberton firemen jury exemption. Reported favorably.
SB 232 - (Catawba) Tax prepayment discounts. Reported favorably.
SB 233 - (Halifax) Coroners fees. Reported favorably.
SB 234 - (Halifax) ABC board reorganization. Reported favorably.
SB 238 - (Forsyth) Fixing register fees. Reported favorably.
SB 239 - (Forsyth) Officials salaries. Reported favorably.
SB 241 - (Cumberland) Fayetteville charter election. Reported favorably.

HB 29 - (Rockingham) Fox hunting. Reported favorably.
HB 38 - (Rowan) Fox hunting. Reported favorably.
HB 172 - (Catawba) Register of deeds pay. Reported favorably as to committee substitute.
HB 173 - (Yadkin) Fox hunting. Reported favorably.
HB 186 - (Transylvania) Unused schools for community centers, as amended in House 2/27. Received from House; sent to Education.
HB 192 - (Tyrrell) Fox hunting. Reported favorably.
HB 234 - (Iredell) Mooresville recorder residence. Reported favorably.
HB 242 - (Henderson) Drawing jurors. Reported favorably.
HB 247 - (Franklin) Recorder court jurisdiction. Reported favorably as amended.
HB 273 - (Avery and Mitchell) Fox hunting. Reported favorably as amended.
HB 285 - (Bertie) Bear hunting, as amended in House 2/20. Reported favorably.
HB 318 - (Hertford) Deputy sheriffs. Reported favorably.
HB 322 - (Rockingham) Reidsville court assistants. Reported favorably.
HB 339 - (Anson) Reward for capturing whiskey stills. Reported favorably.
HB 342 - (Mecklenburg) Sales under power of sale. Reported favorably as amended.
HB 345 - (Cabarrus) Disorderly conduct. Reported favorably.
HB 350 - (Catawba) Newton fire truck sale. Reported favorably.
HB 360 - (Robeson) Validating Fairmont sale. Reported favorably.
HB 361 - (Robeson) Extending Fairmont limits. Reported favorably.
HB 371 - (Wake) Validating Garner officials acts. Reported favorably.
HB 374 - (New Hanover) School teacher pensions, as amended in House 2/27. Received from House; sent to Retirement-Employment Security.
HB 406 - (Rowan) Superior court summons execution fees, as amended in House 2/27. Received from House; sent to Salaries and Fees.
HB 408 - (Scotland) Ratifying Laurinburg obligation issuance. Reported favorably.
HB 409 - (Scotland) Repealing parking meter authority. Reported favorably.
HB 422 - (Duplin) Wallace city hall sale. Reported favorably.
HB 425 - (Martin) Jamesville primary and general elections. Received from House; sent to Election Laws and Senatorial Districts.
HB 459 - (Randolph) Substitute county recorder. Withdrawn from Courts and Judicial Districts; returned to House on request.

Next session of Senate: 12 noon, Wednesday, March 4, 1953.

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BULLETIN NO. 41
Tuesday, March 3, 1953

Session: House -- 12 noon

PUBLIC BILLS INTRODUCED -- HOUSE

HB 561 - Introduced by Venters

"To re-write Part VII of Article 34 of Chapter 106 of the General Statutes, relating to the State rabies law." [Rewrites G.S. 106-364 and 106-383 to require State Board of Health approval for antirabic vaccine introduced or to be used in N. C. Amends G.S. 106-367 and 106-373 to require annual vaccination program to begin on Feb. 1 instead of April 1 (for dogs four months old instead of six months old) and to be completed within 90 days. All dogs must be vaccinated within 30 days of reaching age of four months. State Board of Health may require vaccination at other times but no more than once each calendar year. Deletes requirement in G.S. 106-366 that commissioner of agriculture approve appointment of rabies inspectors. Repeals G.S. 106-372.1 and rewrites G.S. 106-372 to abolish vaccination fee credit on county dog tax and to raise from 25¢ to 50¢ the extra fee for late vaccination under G.S. 106-371. Amends G.S. 106-377 to permit any animal which has been vaccinated not less than three weeks nor more than one year prior to being bitten by rabid animal to be released after 90 days confinement with licensed veterinarian if declared free of rabies. Amends G.S. 106-378 to require confinement of animals suspected of having rabies for ten days (instead of three weeks) and to eliminate necessity for release by rabies inspector. Amends G.S. 106-379 to require every rabid animal which has bitten a human to be confined with licensed veterinarian until its death. Thereafter heads of such animals are to be forwarded to State-approved lab. Requires heads to be submitted in manner approved by State Laboratory of Hygiene. Amends G.S. 106-380 to require only that owner of rabid animal which has bitten human confine animal for ten days at his expense in place designated by county (or district) health office. Requires physicians, within 24 hours after discovery that patient has been bitten by animal suspected of rabies and following first professional attendance, to report to county health officer the age and sex of person bitten and precise location of bite. Amends G.S. 106-381 to eliminate permission for animal which has become vicious to run at large when securely muzzled. Makes clarifying amendments in G.S. 106-375 and 106-376.] To Health.

HB 566 - Introduced by Womble of Wake and Whitehurst

"To amend Section 48-23 of the General Statutes of North Carolina pertaining to adoptions." [Adds to cited section, which provides that adopted children inherit from adopting parents after final order is entered, provision that if one adopting parent dies after the interlocutory order but before final order, upon final order being entered for surviving parent, child inherits from deceased as if final order had been made before death.] To Judiciary 2.

HB 567 - Introduced by Turner and others

"To authorize owners of private lands to open said lands for public use," [Adds Art. 27A to G.S. Ch. 113 (conservation and development). In order to protect wildlife, improve forests, and permit public use of private land for hunting and fishing or for park purposes, permits landowners to open land (minimum 300 acres) by (1) posting notice of opening date and property description at court house door in each county where land lies at least 30 days before opening and filing copy of notice with register of deeds (at usual fee), and (2) posting "a notice, sign or poster" (at least 10"x12") not less than 150 yds. and not more than 500 yds. apart along outer boundaries. At least one sign must be posted at each access road. Sign is to describe use of land permitted, and owner may permit or prohibit hunting, fishing or trapping and furnish other information on sign. Landowner may change or withdraw public use of land by posting notices at court house and with register at least 30 days prior to effective date of change and making corresponding changes in signs. Makes it a misdemeanor to destroy or remove signs without land owner's consent, and on lands opened to public use (1) to commit sexual intercourse; (2) to drink or be under influence of intoxicating liquors (or under influence of drugs); (3) to project any rock, shot or other hard substance by pistol, cannon, bow or sling shot or place a trap without written consent of owner; (4) if hunting is prohibited, to discharge any firearms; and (5) if fishing is prohibited, to fish except does not apply to navigable waters. Act does not give any person hunting, fishing or trapping rights otherwise unlawful. Permits any person authorized to make arrests to arrest without warrant any person violating act or any law on land set aside for public use.] To Judiciary 1.

HB 570 - Introduced by Whitehurst and Womble of Wake

"To amend the General Statutes of North Carolina pertaining to the jurisdiction in vacation or out of term of superior court judges." [Amends G.S. 7-65 to provide that an emergency judge residing in a district has concurrent jurisdiction with the judge holding superior court, the resident judge, or any special judge residing in the District to decide any matter of which the superior court has jurisdiction out of term.] To Judiciary 1.

HB 571 - Introduced by Uzzell

"To amend G.S. 44-66 relating to a fee for filing federal tax lien notices in the office of the register of deeds." [Effective July 1, 1953, amends cited section (which requires register of deeds in each county to enter lien notices for internal revenue taxes in special index book and to file original notices) to permit register to receive a fee of 75¢ for performing such service. (No fee is allowed under present law).] To Judiciary 2.

HB 572 - Introduced by Rodman

"Amending Chapter 84 of the General Statutes of North Carolina to provide for review of decisions of the Board of Law Examiners of North Carolina by the Council of the North Carolina State Bar." [Effective July 1, 1953, adds new section (G.S. 84-24.1) to provide that when Board of Law examiners determines that a person who has duly made application to take board's examination is not eligible to be examined, or that person who has passed such examination is not qualified to be licensed (for reason other than failure to pass examination), the applicant may, upon request made within ten days after receiving notice of such determination, obtain a hearing before the Council of the N. C. State Bar. Council hearing must be within reasonable time and will be held in same manner as provided in other proceedings before the council. Council is to determine after hearing whether applicant is to be allowed to take examination or to be licensed, as case may be, but there is a presumption that decision of law examiners was correct. Decision of council is subject to review in superior court under provisions of G.S. Ch. 150, but if applicant fails without good cause to request hearing, decision of board is final and not reviewable.] To Judiciary 1.

HB 573 - Introduced by Rodman

"Providing uniform procedure for licensing agencies of the State of North Carolina and repealing G.S. 150-1 through G.S. 150-8." [Effective July 1, 1953, rewrites G.S. Ch. 150 (which provides for hearing and judicial review procedure in license suspension and revocation cases for 13 licensing boards). Defines "board" to make provisions of act applicable to 22 named professional and vocational licensing boards. Requires boards to give licensees and applicants for license (except license by comity or discretionary reinstatement after revocation or suspension) notice and opportunity for hearing before (1) denying permission to take examination where application was duly made, (2) denying license after examination for cause other than failure to pass examination, (3) withholding license renewal when renewal fee has been paid, or (4) suspending or revoking a license. Sets out detailed code of procedure to be followed in board hearings. Permits board to conduct hearings either before full board or before trial examiner or committee appointed by board from among its membership. In latter case, a majority of the board thoroughly familiar with all evidence taken at hearing must meet to decide case. In hearings involving eligibility for examination or for licensing after passing examination burden of proof is on applicant to show qualification; in hearing concerning deprivation of license already granted, burden is on board to justify contemplated action. Boards are not bound by techincal rules of evidence but all basic procedural rights afforded in court of law are specifically preserved. Agency decisions rendered after required hearings are reviewable in superior court upon petition of person aggrieved. Review is by judge without a jury and will be on the record, except that additional evidence may be taken where omission or error in record is alleged. Judge may remand case to board to hear newly-discovered evidence. The judge may reverse or modify board decisions if substantial rights of person seeking review may have been prejudiced because board findings or decisions (1) violate constitution or exceed statutory authority, (2) were made upon unlawful procedure or are affected by error of law, (3) are unsupported by competent, material, and substantial evidence in view of entire record as submitted, or (4) are arbitrary or capricious. Any party to review proceedings, including board, may appeal to supreme court from decision of superior court judge. Bill contains provisions (1) authorizing boards to seek injunctions to prevent violations of licensing acts which they administer and regulations issued pursuant thereto, and (2) enabling person directly affected by an agency regulation to test its validity by declaratory judgment in superior court.] To Judiciary 1.

HB 574 - Introduced by Rodman

"Providing a procedure for judicial review of decisions of certain administrative agencies." [Effective July 1, 1953, provides a uniform method of obtaining judicial review of certain decisions rendered by administrative agencies (except for agencies covered by G.S. Ch. 150 as it exists or as it may be amended by HB 573). Gives any person aggrieved by a final decision of an administrative agency (i.e., decision of a state officer, department, board or commission rendered "in a proceeding in which the legal rights, duties, or privileges of specific parties are required by law or constitutional right to be determined after opportunity for agency hearing") the right to have the decision reviewed in superior court, in cases where adequate procedure for judicial review is not otherwise provided by statute. Makes unreasonable delay on part of agency in reaching final decision justification for person adversely affected to seek court order compelling action. Review is initiated by filing petition in Wake County superior court within 30 days after service of agency decision. Petition must state exceptions taken to the decision and must be served on all other parties. Review is by judge without a jury and will be on the record, a certified copy of which the agency must transmit to the court within 30 days after receipt of copy of petition for review (or such additional time as court may allow). Record may be shortened by stipulation. If no record was taken in proceeding before agency, or if record is inadequate, judge may hear matter de novo; otherwise judge hears no new evidence unless irregularities (not shown in record) are alleged. Judge may remand case to board to hear newly discovered evidence. Judge may reverse or modify agency decision on grounds identical with those provided in HB 573, digested above. Any party to review proceedings, including agency, may appeal to supreme court from decision of superior court.] To Judiciary 1.

HB 576 - Introduced by Rodman

"Amending present licensing acts to remove certain conflicting provisions concerning procedures for hearing before certain licensing agencies and procedures for judicial review." [Effective July 1, 1953, contains series of amendments to licensing acts to remove provisions therefrom that would be inconsistent with G.S. Ch. 150 upon enactment of HB 573.] To Judiciary 1.

HB 577 - Introduced by Falls and others

"To make it lawful for any citizen of North Carolina to fish or hunt without a license after attaining the age of 65 years." [As title indicates; applies to hunting in any county, and to both state and county licenses. Effective July 1, 1953.] To Wildlife Resources.

HB 579 - Introduced by Taylor of Buncombe and others

"To authorize the creation, establishment and operation of community colleges under the supervision of the State Board of Education, to permit school administrative units or parts thereof to consolidate for the purpose of establishing and operating such colleges and to permit the levy of special taxes for the maintenance thereof after approval by the voters of the district to be served." [As title indicates, permits any county board of education or city administrative unit to create and operate a community college, consisting of a two year program (1) to fit students for further college work or professional training, (2) to provide terminal courses for vocational, vocational-technical, and semi-professional training, (3) to provide in-service training for persons already employed, (4) to set up leisure-time education and services, especially for adults, and other curricula and services approved by State Board of Education. Such colleges may be created only upon finding of fact by State Board that number of students in area to be served, services to be rendered, and need for services will justify its operation. Permits creation of community college districts by State Board out of a county or city administrative unit or out of two or more contiguous units or parts thereof, for purpose of establishing and operating such colleges. Colleges are to be governed by a board of trustees (consisting of at least 5 members) appointed for six year staggered terms by county education boards and/or local units comprising the college district. Directs such board of trustees to prepare annual budget under procedure set out in G.S. Art. 50, Ch. 115 (School Machinery Act) and submit to city and/or county education boards. If approved, budget goes to tax levying authorities of units involved. College trustees may charge tuition and make regulations, subject to State Board rules. With permission of local authorities and State Board existing buildings and facilities of public schools may be used. Trustees may provide other necessary facilities, and may employ necessary teachers and employees. Local governing bodies may appropriate funds to college from any non-tax sources. If local education boards (in college district) with State Board approval petition for it, local governing bodies must call on elections board to conduct special election on levy of special tax to support college, not to exceed 5¢ per $100 valuation. Majority of votes cast carries election. Existing community colleges are not affected, but provision is made for such colleges to petition State Board to be brought under this act.] To Finance.

LOCAL BILLS INTRODUCED -- HOUSE

HB 562 - (Brunswick) Introduced by Williamson

"Relating to the showing of motion pictures in public schools in Brunswick County." [Prohibits showing of any motion picture in any Brunswick County public school during school hours except for educational purposes, and prohibits charging of admission for admittance to any educational motion picture shown. Requires county board of education to dismiss from office any person responsible for a violation of such prohibitions.] To Education.

HB 563 - (Camden) Introduced by Forbes

"To make lawful the taking of bear in Camden County any day in the year." [As title indicates, permits taking with gun, dog or trap; makes it unnecessary to notify Wildlife Resources Commission or its agents of such taking; and provides that bear shall belong to taker.] To Wildlife Resources.

HB 564 - (Orange) Introduced by Umstead

"Relating to disorderly conduct in public places in Orange County." [Makes it misdemeanor for person to be disorderly by swearing, cursing, using indecent language or acting in manner calculated to bring about breach of peace in public place (which includes, but is not limited to stores, cafes, theaters, filling stations, streets and highways.)] To Judiciary 2.

HB 565 - (Graham) Introduced by Adams

"To extend the time in which the Board of County Commissioners of Graham County may issue and sell hospital bonds in the amount of $60,000." [Gives county commissioners until July 1, 1956, to issue and dispose of $60,000 worth of hospital bonds approved by voters in a county election on January 10, 1952.] To Judiciary 2.

HB 568 - (Guilford) Introduced by Turner, Crissman, Hunt and Shreve

"Amending Chapter 331 of the Public Laws of North Carolina of 1929, the same being an act amending Chapter 160 of the General Statutes of North Carolina (G.S. 160-93) relating to special assessments and authorizing the holding in abeyance of certain assessments without interest and providing that the time while such assessments are held in abeyance without interest shall not be a part of the time limited for the commencement of action to enforce payment of assessment liens, and validating special assessments heretofore levied." [Amends G.S. 160-93 (as it applies to Greensboro) to permit municipal governing board to hold in abeyance, without payment of interest, all or part of assessments levied for water main or sanitary sewer improvements when in board's opinion such improvement may not presently be used by owner(s) of abutting land. Board may, at any time, determine that such assessments be paid in accordance with terms in resolution confirming the assessments. All statutes of limitations are suspended while assessments are held in abeyance; action to enforce assessment payment may be brought within 10 years from date of resolution determining such assessments are to be paid. Validates all special assessments previously levied. Does not affect litigation pending at date of ratification and is not to be construed to revive right of actions previously barred by statute of limitations (G.S. 160-93 now bars actions to collect unpaid assessments after ten years from date of default; and unpaid assessments bear 6% annual interest.)] To Judiciary 1.

HB 569 - (Mitchell) Introduced by McKinney

"To provide for the appointment of a veterans service officer in Mitchell County and to fix his salary." [Effective July 1, 1953, adds to G.S. 165-6 (which relates to powers of State Veterans Commission and authorizes each county's commissioners to appoint a veterans service officer) provision that B.B. Burleson is appointed veterans service officer until July 1, 1955, at which time county commissioners are to appoint a successor. Term for office is 2 years, and salary is $200 per month, payable from general fund.] To Veterans Legislation.

HB 575 - (Beaufort) Introduced by Rodman

"To amend and supplement Chapter 147 of the Private Laws of 1917 as same is amended by Chapter 64 of the Session Laws of 1951 the same being the charter of the City of Washington relating to the nomination and election of municipal officials in the City of Washington and to amend and supplement Chapter 210 of the Private Laws of 1915 relating to the operation of the municipally owned utilities in the City of Washington." [Validates (1) adoption of Plan D form of government by city voters in election on December 7, 1951, and (2) election of city council on May 6, 1952, under such form of government. Makes following changes in municipal election procedures set forth in cited 1917 and 1951 laws: (1) requires candidates for elective offices to file notice of candidacy with city clerk by five p.m. on the 10th day before primary and to pay $10 filing fee; (2) provides for election of five councilman (under Plan D) rather than mayor and eight aldermen; (3) sets date for next municipal election as Tuesday after first Monday in May, 1954, with officials therein elected to serve until Tuesday after first Monday in May, 1957, at which time and biennially thereafter successors are to be elected. Amends cited 1915 act to confirm (from June 30, 1952) that city council is authorized to operate municipal utilities formerly operated by board of light and water commissioners.] To Local Government.

HB 578 - (Onslow) Introduced by Venters
"To divide the Town of Jacksonville into four voting wards." [Fixes boundaries of wards to effect purposes indicated in title.] To Local Government.

HB 580 - (Swain) Introduced by Martin
"To provide for an annual audit of books and accounts of all officers and offices collecting funds due for the County of Swain." [As title indicates; includes JPs and mayors. Consecutively numbered receipts furnished by county commissioners must be given to persons from whom funds are collected and copy retained for auditor. All receipts are to be accounted for. Commissioners set dates for annual audits consistent with present county audit requirements.] To Local Government.

HB 581 - (Halifax) Introduced by Branch
"To extend the corporate limits of the Town of Scotland Neck." [Extends corporate limits to include area whose boundaries are set out in bill.] To Counties, Cities and Towns.

HOUSE CALENDAR ACTION

PUBLIC BILLS

SB 47 - Adoption consent when parents incompetent (Senate committee substitute 2/27). Reported favorably.
SB 84 - Assistance checks of dead recipients. Reported favorably as amended.
SB 142 - Authorizing optometry certificate revocation, as amended in Senate 2/27. Reported favorably.
SB 157 - Court term for trying issues joined. Reported favorably.
SB 170 - Reorganizing State Ports Authority. Reported favorably.
SB 172 - Vehicle license plates draft defaults. Reported favorably.
SB 176 - Altering motor vehicle numbers. Reported favorably.
SB 192 - Authorizing pistol caps sales. Received from Senate; sent to Propositions and Grievances.
SB 211 - Extending civil defense functions. Received from Senate; sent to Judiciary

HB 313 - Cross-indexing criminal cases. Passed second and third readings.
HB 314 - Cross-indexing old age assistance liens. Passed second and third readings.
HB 396 - Hatteras Seashore Commission fund transfer. Withdrawn from Appropriations; re-referred to Conservation and Development.
HB 404 - Authorizing deputy CSC summons signing. Reported favorably as amended.
HB 405 - Marriage license return to register. Reported favorably as amended.
HB 460 - Appointing harbor masters. Reported favorably.
HB 530 - Supreme Court reports to Utilities Commission. Reported favorably.

LOCAL BILLS

SB 165 - (Davidson) Thomasville school property transfer. Received from Senate; sent to Local Government.
SB 177 - (Alexander and Lee) Dispossessing tenants, as amended in Senate 2/25. Received from Senate; sent to Judiciary 2.
SB 195 - (Wake) Raleigh property exchanges. Reported favorably.
SB 196 - (Wake) Raleigh zoning hearings. Reported favorably.
SB 199 - (Cleveland) Revising Boiling Springs charter. Received from Senate; sent to Local Government.
SB 205 - (Gates) Validating conveyances. Reported favorably.
SB 206 - (Iredell) CSC fees. Received from Senate; sent to Local Government.

HB 301 - (Edgecombe, Nash, Pitt, Wilson) Creating airport authority. Reconsidered vote by which bill passed second reading; re-referred to Judiciary 2.

HB 311 - (Moore) Volunteer firemen jury exemption. Amended to provide for individual exemptions from jury service on certification by voluntary fire company secretary and member (instead of group exemption on certification of list by secretary); passed second and third readings.
HB 459 - (Randolph) Substitute county recorder. Recalled from Senate.
HB 483 - (Vance) CSC advance fee collection. Reported favorably.
HB 493 - (Wake) Wendell primary and town manager. Reported favorably.
HB 555 - (Bertie) Validating tax levies and sales. Reported favorably.
HB 556 - (Sampson) Roseboro cemetery commission. Reported favorably.

BILLS RATIFIED

SB 82 - Regulating intrastate railroad fares.
SB 83 - Parking meter receipts for off-street parking.
SR 103 - (Joint Resolution) Disapproving ICC power extension.
SB 111 - (Edgecombe) Validating jailer fees (Senate committee substitute 2/18).
SB 113 - (Sampson) Extending Salemburg limits.
SB 122 - (Randolph) Rewriting Staley charter.

HB 28 - (Rockingham) Reidsville recorder court jury trials.
HB 164 - Extending civil defense program.
HB 167 - Oyster dredge weight limits.
HB 207 - Renewing summons by endorsement, as amended in House 2/20.
HB 261 - Cash bond forfeits, as amended in House 2/20.
HB 263 - (Cherokee) JP fees, as amended in Senate 2/25.
HB 284 - (Harnett) Dunn volunteer firemen jury exemption.
HB 294 - (Dare) Bay rum prohibition exemption.
HB 325 - (Granville) Drawing jurors.
HR 429 - (Joint Resolution) Memorializing Moore.

Next session of House: 12 noon, Wednesday, March 4, 1953.

INSTITUTE OF GOVERNMENT
LEGISLATIVE SERVICE
GENERAL ASSEMBLY OF NORTH CAROLINA
DAILY BULLETIN

P. O. Box 1658 111 West Morgan St., Raleigh, N. C. Telephone 3-5515

BULLETIN NO. 42
Wednesday, March 4, 1953

Session: Senate -- 12 noon

PUBLIC BILLS INTRODUCED -- SENATE

SB 258 - Introduced by Hicks and others

"To rewrite certain sections of Article 9 of Chapter 90 of Volume 2C of the General Statutes relating to the organization and operation of the North Carolina Board of Nurse Examiners." [Rewrites G.S. 90-158 through 90-163, which now relates to organization, membership and duties of N. C. Board of Nurse Examiners, the Joint Committee on Standardization (which, with the board, sets standards for schools of nursing), and an educational director for nursing schools. Substitutes N. C. Board of Nurse Education and Examination consisting of 7 members appointed for 4-year staggered terms by Governor. Four members must be nurses who for 5 years have been licensed to practice in N. C. and who have engaged in bed-side nursing for 2 years next preceding appointment. Three members must be physicians who have for 7 years been licensed to practice in N. C. and who are staff members of hospitals in N. C. operating in conjunction with a licensed nurse training school. No two members may be from same congressional district. Board elects own officers and may employ non-member as executive secretary-treasurer. Board is empowered (1) to supervise nurse education in nurses training schools (defined as licensed schools operated in conjunction with general hospital and offering approved 3-year nurses training course), (2) to license and accredit such schools, supervise relationship between schools and undergraduates to effect thorough training in listed subjects, and to revoke or suspend such licenses, (3) to license graduate nurses and to revoke such licenses, (4) to make administrative and procedural rules, and (5) to enforce minimum standards provided in the law concerning licensing of nurses and training schools. Licenses are to be automatically issued to schools validly licensed as of January 1, 1953. After ratification of act, school seeking accreditation must apply to board giving evidence of ability to meet statutory standards, and if found to comply, license is granted for 1 year at the end of which a permanent license is given if school "is performing its functions properly." Sets out procedure for giving notice and hearing in cases of nurse or nursing school license revocation, including right to appeal from board's determination to superior court for hearing de novo. Board is required to meet at least once a year in Raleigh to examine applicants for nurses licenses. Notice of time and place of examinations must be published in nursing journal, and 5 state newspapers, and written notice given to nursing schools. Board is empowered to collect following fees: (1) $100 for new schools applying for accreditation, (2) $15 for applicants for nurses license examination, and for license without examination, (3) $10 for annual renewal of nurses license, and (4) $5 for reinstatement of lapsed nurses license. Fees are to be collected by executive secretary-treasurer, turned over to state treasurer, and placed in special fund to be used for administering article. Places control of board's funds under executive budget act, with provision that no expenditure may be made in excess of amount held at the time by state treasurer derived from fees collected under article. Board is placed under personnel act and state auditor is to make annual audit of board's accounts. Board members are to receive annual salary fixed by budget director based on per diem payment for days spent in attending meetings and performing duties, plus travel expenses and up to $10 per day subsistence. Board is empowered to employ educational supervisor to be paid by state (with same expense allowance as that of board members), who must have college degree in education and five years experience as registered nurse. Supervisor is to make surveys, and advise board concerning qualification and accreditation of nurse training schools, their curriculum, and training. He is to regularly inspect schools and insure that licensed schools comply with board rules. Amends G.S. 90-168 to change dates for registered nurses license renewal and to raise renewal fee from $1 to $10. Amends G.S. 90-171.7 to change dates for practical nurses license renewal and to raise renewal fee from $1 to $5. Repeals G.S. 90-171.2 which added practical nurse members to the Joint Committee on Standardization. Amends G.S. 90-171.1, 90-171.7, 90-164, 90-165, 90-167, and 90-171.3 to substitute name of new board for that of present Board of Nurse Examiners and standardization committee.] To Public Health.

SB 259 - Introduced by Bailey

"Relating to the confirmation of sales of real property under court decree." [Provides that from and after June 1, 1953 no action is to be brought to contest validity of decree filed on or before Dec. 31, 1950, confirming sale of real or personal property in special proceeding on grounds that decree was entered prior to expiration of time required by law following report of sale.] To Judiciary 2.

LOCAL BILLS INTRODUCED --SENATE

SB 256 - (Franklin and Wayne) Introduced by Hobgood

"To amend Chapter 717 of the Session Laws of 1951, and Chapter 225 of the Session Laws of 1949, relating to school building construction in Franklin County so as to make the provisions of said act extend until July 1, 1955." [Amends Ch.225, 1949 Session Laws, as amended, to extend from July 1, 1953 to July 1, 1955 the termination date of that chapter which exempts governing or public authorities in Wayne and Franklin counties from G.S. Ch. 143 Art. 8 (relating to public building contracts) when engaged in school building construction not in excess of $30,000.] To Counties, Cities and Towns.

SB 257 (Yadkin and Forsyth) - Introduced by Reavis

"To authorize the board of commissioners of Yadkin County to fix the fees to be charged by the clerk of the superior court and the register of deeds of Yadkin County." [As title indicates. Effective April 1, 1953, repeals Ch. 129, 1951 Session Laws which fixes fees to be charged by register of Forsyth County.] To Counties, Cities and Towns.

SB 260 - (Wake) - Introduced by Bailey

"Relating to mineral rights in Wake County." [Bars action brought after Dec. 31, 1953 for possession or recovery of mining or mineral rights on any land in county, unless plaintiff bringing action has actively engaged in mining and extracting minerals from such land on or after Jan. 1, 1930, or unless plaintiff has, prior to Dec. 31, 1953, registered affidavit in county setting out name of claimant and metes and bounds of land on which rights are claimed. Register of deeds is to index all such affidavits filed in special index book and in real property index. Provisions are not to divest mining or mineral rights acquired or reserved on or after Jan. 1, 1930. Effective Dec. 31, 1953.] To Judiciary 2.

SENATE CALENDAR ACTION

PUBLIC BILLS

SB 91 - Hay research appropriation. Reported favorably as amended; re-referred to Appropriations.

SB 109 - Preserving pine trees. Committee substitute adopted; committee substitute (1) amends G. S. Ch. 113 (conservation and development) by adding new Art. 6B to be entitled "Forest Seed Tree Act;" (2) adds white, pond, longleaf, pitch, and slash pines or yellow poplars to loblolly and shortleaf pines now covered by provisions of bill; (3) provides that on 1 or more acres of land on which cited forest trees occur (singly or together) and compose 10% or more of stems (6 in. in diameter at 4 1/2 ft. above ground), landowner must leave uncut on each acre not less than 4 trees of not less than 12 in. in diameter at point 4 1/2 ft. above ground or not less than 15 in. in diameter at point 3 in. above ground; if 4 trees (12 in. in diameter or larger at point 4 1/2 ft. above ground) are not present on any one acre, then 2 trees of largest diameter class must be left uncut for each tree less than 4; (4) makes clear that act does not apply in any county until adopted by county commissioners by resolution and adds provision that act is not effective until State Forester (who is responsible for enforcement) receives copy of resolution; (5) provides for posting and publication of notices in counties where act is made effective; (6) increases penalty from $10 to $15 for each tree cut which is required to be left uncut; (7) does not apply to any acre of land on which there are as many as 400 or more cited forest trees 6 ft. or more in height at time of final cutting; (8) adds lands cleared for industrial use to lands cleared for agriculture, pasture or construction purposes which are exempt from provisions of act and provides that construction or industrial uses must be begun within 1 year (instead of 3 years as applied to construction under original bill) of cutting; and (9) provides that article does not apply to timber where timber cutting rights were acquired prior to receipt by State Forester of commissioners' resolution (instead of where timber rights were acquired under leases executed prior to July 1, 1953). Postponed to 3/6.

SB 143 - Special trout licenses. Passed second reading.
SB 220 - Leased vehicle licensing procedure. Reported favorably.
SB 242 - Licensing special mobile equipment. Reported favorably as amended.
SB 249 - Shortening time for insanity divorces. Passed second and third readings.

HB 62 - Securing tobacco hogsheads (House committee substitute 2/11). Reported favorably.
HB 113 - Creating future interests in personalty. Passed second and third readings.
HB 185 - Road construction damage suit limitation, as amended in House 2/20. Reported favorably.
HB 248 - Trustees for adult incompetents. Re-referred to Judiciary 1.
HB 313 - Cross-indexing criminal cases. Received from House; sent to Judiciary 2.
HB 314 - Cross-indexing old age assistance liens. Received from House; sent to Judiciary 2.
HB 380 - Non liability for record destruction. Reported favorably.

LOCAL BILLS

SB 178 - (Alexander, Burke, Caldwell and Catawba) Prohibiting disposals in Hickory Lake. Amended to make prohibition not apply to disposal of industrial waste regulated by State stream sanitation committee; passed second and third readings.
SB 209 - (Sampson) Increasing county commissioners. Passed second and third readings.
SB 213 - (Halifax) Postponing revaluation. Passed second and third readings.
SB 222 - (Cumberland) Tax review completion date. Passed second and third readings.
SB 223 - (Cumberland) Fayetteville chiefs civil service status. Passed second and third readings.
SB 224 - (Cumberland) Regulating taxicabs. Passed second and third readings.
SB 225 - (Edgecombe) Sheriff and constable fees. Passed second and third readings.
SB 227 - (Edgecombe) ABC enforcement expenditures. Passed second and third readings.

SB 228 - (Robeson) Maxton officials election. Passed second and third readings.
SB 229 - (Robeson) Lumberton firemen jury exemption. Passed second and third readings.
SB 232 - (Catawba) Tax prepayment discounts. Passed second and third readings.
SB 233 - (Halifax) Coroners fees. Passed second and third readings.
SB 234 - (Halifax) ABC board reorganization. Amended to authorize use of education board's share of ABC profits for school repairs as well as school construction and additions; passed second and third readings.
SB 238 - (Forsyth) Fixing register fees. Passed second and third readings.
SB 239 - (Forsyth) Officials salaries. Passed second and third readings.
SB 241 - (Cumberland) Fayetteville charter election. Clarifying amendment adopted; passed second and third readings.

HB 29 - (Rockingham) Fox hunting. Passed second and third readings.
HB 38 - (Rowan) Fox hunting. Passed second and third readings.
HB 172 - (Catawba) Register of deeds pay. Committee substitute adopted; committee substitute authorizes county commissioners to fix salaries of following officials at amounts indicated: (1) register, from $4800 to $5000 per year; (2) one deputy register, from $300 to $350 per month and second deputy register, from $200 to $250 per month (both appointed by register); and (3) two clerks (appointed by register), from $175 to $225 per month. Authorizes commissioners to pay such sums as they deem proper for additional part-time assistance in register's office, not to exceed 3 employees at one time, at "$40 per week." Passed second and third readings.
HB 173 - (Yadkin) Fox hunting. Passed second and third readings.
HB 192 - (Tyrrell) Fox hunting. Passed second and third readings.
HB 234 - (Iredell) Mooresville recorder residence. Passed second and third readings.
HB 242 - (Henderson) Drawing jurors. Passed second and third readings.
HB 247 - (Franklin) Recorder court jurisdiction. Amended to provide that G.S. 7-248 (fixing civil jurisdiction of recorder courts) and G.S. 1-93 (fixing amount of money which must be involved in civil actions to permit summons to run outside county) do not apply to county recorder court; passed second and third readings.
HB 273 - (Avery and Mitchell) Fox hunting. Amended to delete Mitchell County from provisions of bill; passed second and third readings.
HB 285 - (Bertie) Bear hunting, as amended in House 2/20. Passed second and third readings.
HB 316 - (Dare) Kill Devil Hills incorporation. Withdrawn from Propositions and Grievances; placed on calendar; passed second reading.
HB 318 - (Hertford) Deputy sheriffs. Passed second and third readings.
HB 322 - (Rockingham) Reidsville court assistants. Passed second and third readings.
HB 339 - (Anson) Reward for capturing whiskey stills. Passed second and third readings.
HB 342 - (Mecklenburg) Sales under power of sale. Amended to provide that bill does not apply to pending litigation; passed second and third readings.
HB 345 - (Cabarrus) Disorderly conduct. Passed second and third readings.
HB 350 - (Catawba) Newton fire truck sale. Passed second and third readings.
HB 360 - (Robeson) Validating Fairmont sale. Passed second and third readings.
HB 361 - (Robeson) Extending Fairmont limits. Passed second reading.
HB 370 - (Wake) Redefining Garner limits. Reported favorably.
HB 371 - (Wake) Validating Garner officials acts. Passed second and third readings.
HB 397 - (Person) Prohibiting taxicab fare non-payment. Reported favorably.
HB 408 - (Scotland) Ratifying Laurinburg obligation issuance. Passed second reading.
HB 409 - (Scotland) Repealing parking meter authority. Passed second and third readings.
HB 422 - (Duplin) Wallace city hall sale. Passed second and third readings.

Next session of Senate: 12 noon, Thursday, March 5, 1953.

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BULLETIN NO. 42
Wednesday, March 4, 1953

Session: House -- 12:00 noon

PUBLIC BILLS INTRODUCED -- HOUSE

HB 584 - Introduced by Blue and others

"To amend Chapter 58, Article 26, of the General Statutes of North Carolina relating to accident and health policies." [Adds G. S. 58-253.2 to provide that every accident and health policy delivered or issued for delivery in N. C. must contain the clause (or substantially equivalent clause approved by commissioner of insurance) set out in bill, which provides (1) that no misstatements other than fraudulent ones made in application may be used to void policy or to deny claim for loss incurred or disability commencing after expiration of three years from date of issue; and (2) that no claim for loss incurred or disability commencing after three years from date of issue may be reduced or denied on ground that disease or physical condition not expressly excluded from coverage existed prior to effective date. Amends G. S. 58-254.3 (1)(f), which sets out one definition for blanket accident and blanket health policies, to increase (in defining blanket policies issued to head of family) members of family covered by adding all children (rather than those under 18) and persons chiefly dependent on family head for support. Amends G.S. 58-254.4 (2), which sets out requirements for group health, accident, and health and accident policies, to delete requirement that such policies must cover at least 25 employees or agents. Amends G.S. 58-254.4(3), which defines "employee" and "employer" for purposes of accident and health insurance regulation, to include within the term "employer" the State of North Carolina, any county in the State, and any subdivision of the State or any county therein. Effective January 1, 1954.] To Insurance.

HB 586 - Introduced by Moore of Wilson

"Relating to the North Carolina Rural Rehabilitation Corporation." [Changes corporate structure of N. C. Rural Rehabilitation Corp.by: (1) setting up 9 member board of directors, with commissioner of agriculture, director of co-operative agricultural extension service of N. C. State, director of vocational education of State Department of Public Instruction and state director of Farmers Home Administration of U.S.D.A. as ex-officio members, and five members to be named by Governor (one for one year term, two for two years, and two for three years, with successors serving three years); (2) cancellation of all stock; (3) requiring annual audit by state auditor; and (4) giving all powers of present stockholders and directors to new board (including control over personnel and salaries; acquisition, use, and disposition of property; and control over fiscal affairs). Obligations incurred are not to be state obligations, though corporation continues as agency of state.] To Agriculture.

HB 588 - Introduced by Regan and others

"To amend the motor vehicle laws respecting tolerance on weights for certain motor vehicles." [Amends G.S. 20-118(1) to provide a tolerance of 10% to the present 18,000 pounds maximum gross weight allowed on any one axle when the wheels attached are equipped with low pressure pneumatic tires.] To Roads and Highway Safety.

HB 597 - Introduced by Fisher of Cumberland and others

"To amend Public Laws of 1951, Chapter 1089, Section 15, being Section 90-258, of Article 17, Chapter 90 of the General Statutes of North Carolina, pertaining to compensation and expenses of the members of the Board of Dispensing Opticians." [Amends cited section to permit board to fix salary of secretary in amount not to exceed $300 per year.] To Judiciary 2.

HB 598 - Introduced by Swindell and others

"To provide for the payment of the salary of a member of the State Highway Patrol injured while in the performance of his official duties." [Adds to G.S. 20-185 designating personnel, method of appointment, and method of fixing salaries the following provisions: (1) officers and members of State Highway Patrol are to receive full salary even though unable to carry out assigned duties if incapacity is due to injury by accident arising out of and in course of performance of duty (so long as employment continues), but if such incapacity continues for more than one year, payments are reduced to half salary during second year or until resumption of assigned duties, retirement, resignation or death, whichever first occurs; (2) payments are in lieu of workmen's compensation benefits under G.S. 97-29 and 97-30, but in addition to any other workmen's compensation benefits to which entitled; (3) payments are not to be charged against any sick or other leave to which an injured officer or member may be entitled. Amends G.S. 97-29 and 97-30, the portions of the workmen's compensation act providing for benefits for total and partial incapacity, by providing that no officer or member of State Highway Patrol may receive benefits payable under such section during first two years of total or partial incapacity resulting from injury by accident arising out of and in course of performance of duty if he continues to be an officer or member of patrol during such period.] To Appropriations.

HB 602 - Introduced by Worthington

"To amend General Statutes Section 90-171.3 relating to applicants for examination for licensure as licensed practical nurses." [Amends cited section to permit person to apply for examination for license as practical nurse without having completed course of training approved and accredited by the standardization committee by submitting to N. C. Board of Nurse Examiners satisfactory written evidence under oath that such person (1) is 21 or over; (2) is U. S. citizen or has declared intention of becoming one; (3) is of good moral character; (4) is in good mental and physical health; (5) has completed 1st year of high school or equivalent; and (6) has either satisfactorily completed 18 months of instruction in school for training of registered nurses (meeting standards of G.S. 90-159), or has had 24 months of experience in practical nursing (time of service and competency to be certified either by two N.C. licensed physicians, or by one such physician and one N. C. licensed registered nurse).] To Health.

LOCAL BILLS INTRODUCED -- HOUSE

HB 582 - (Vance) Introduced by Falkner

"To continue the incorporation of the City of Henderson and to codify, amend and consolidate the statutes that constitute the charter of the City of Henderson, and to repeal certain acts and portions of certain acts constituting a part of its present charter." [Effective July 1, 1953, revises and rewrites entire charter, repealing all prior acts. Defines corporate limits and 4 ward boundaries by metes and bounds. Provides for election of mayor and 8 aldermen; candidates must file with clerk not later than third Friday prior to city election held on first Tuesday in May each year. City council is to determine own rules of order and procedure except as limited by act, and final votes involving expenditure of $1000 or more shall be recorded by ayes and nays. City council is to fix own salary "not to exceed $40 monthly" and salary of mayor. Sets out in detail duties of mayor, including: (1) supervisory power over department heads, (2) power to employ experts to examine city affairs with consent of city council and to administer oaths and compel attendance of witnesses and production of records in cases of investigations of charges against city officers or employees, (3) emergency powers in event of riots or disturbances threatening peace of the city, and (4) power to recommend removal of department heads to city council. Mayor is to be ex-officio non-voting member of all boards or commissions elected by city council unless designated as voting member; all city council orders to employees must be sent through mayor to department heads. Provides for and sets out detailed duties of following city officers who are to serve at pleasure of and with salaries fixed by city council: clerk, accountant, collector of revenue, treasurer, purchasing agent, and attorney. Provides for and sets out duties of police and fire departments, department of public works, and inspection, purchasing, and water works departments. Grants usual corporate powers plus additional powers, including powers (1) to inspect all dairies "inside or outside" city limits whose products are sold in city and to charge license fees for such inspection; (2) to condemn and remove dilapidated or unsafe buildings; (3) to levy special sewer assessments (not to exceed 5¢ per ft. of frontage) on property abutting any street in which a sewer line is located for payment of sewer bonds; (4) to pay up to $200 damages caused solely by negligence of city-operated vehicles (if there is no contributory negligence) in discretion of city council and when approved by city attorney; (5) to establish retirement system for employees; and (6) to acquire parking lots and control them by parking meters and/or attendants. Heads of departments are to be elected by city council and are empowered to fire employees subject to appeal to council. City is not required to advertise sales of property for tax liens, and time for bringing actions to enforce such liens is to be determined by governing body (notwithstanding general law). Sets out procedure permitting city council to order permanent improvements in public interest and provides for assessments therefor. Sets out procedure for granting franchises limited to not more than 30 years and procedure for bringing court action to compel licensee to perform services undertaken under terms of any grant, franchise or license. Provides that all actions against city for damages must be instituted within 90 days after injury. Authorizes city council to sell any city personal property at private sale. Provides that city contract in excess of $1,000 must be in writing and only such contracts are governed by G.S. 160-279; permits city to let purchase contracts of up to $2,000 informally without advertisement, but non-conflicting provisions of G.S. 143-129 as to advertisement and informal letting of contracts under G.S. 143-131 apply to city. Provides for park and recreation commission.] To Counties, Cities and Towns.

HB 583 - (Person) Introduced by Satterfield

"To make G.S. 14-358 relating to the violation of certain contracts between landlord and tenant applicable to Person County." [Includes Person in list of counties to which provisions of cited section apply. Section makes it a misdemeanor punishable by fine up to $50 or imprisonment up to 30 days (1) for any sharecropper who procures advances on basis of crop to be made to willfully abandon land without good cause and with intention of defrauding landlord, before paying for such advances; (2) for any landlord who contracts with a tenant to furnish advances to enable him to make a crop to willfully refuse or fail without good cause to furnish such advances; and (3) for any person to hire a tenant who has violated provisions of section, with knowledge of such violation (such person is also liable to landlord who furnished advances to such tenant for amount of advances furnished).] To Judiciary 2.

HB 585 - (Johnston) Introduced by Thomas and Coates

"To amend Chapter 186 of the Private Laws of 1911, relating to the charter of the Town of Selma, so as to provide for an increase in the Board of Town Commissioners." [As title indicates, provides for five, instead of four, town commissioners for Selma.] To Local Government.

HB 587 - (Rowan) Introduced by Uzzell and Barnett

"To amend Chapter 1199 of the Session Laws of 1951 relating to the regulation of professional bondsmen in Rowan County." [Amends Sec. 9 of cited chapter to raise fee which any professional bondsman may charge for his services from 5% to 10% of penalty of any bond, and to raise minimum fee which may be charged for such services from $5 to $7.50.] To Judiciary 2.

HB 589 - (Guilford) Introduced by Shreve, Crissman and Hunt

"To amend G.S. 20-157 so as to make it unlawful in Guilford County to drive a motor vehicle over a fire hose or to block fire-fighting apparatus." [Amends cited section to make it unlawful to drive motor vehicle over fire hose at any time or to block fire-fighting apparatus from source of supply, regardless of distance from fire.] To Judiciary 1.

HB 590 - (Guilford) Introduced by Shreve, Crissman and Hunt
"To amend G.S. 105-279(2) relating to property subject to assessment for ad valorem tax purposes in Guilford County." [Amends cited subsection, which lists property to be assessed or reassessed in other than quadrennial revaluation years when not permanently affixed to realty, to make property listed subject to such assessment or reassessment whether or not it is permanently affixed to realty.] To Judiciary 1.

HB 591 - (Guilford) Introduced by Shreve, Crissman and Hunt
"To repeal Chapter 331 of the Public Laws of the Regular Session of 1937, as amended by Chapter 91, Public Laws of North Carolina, 1941, providing for the appointment of assistant clerks of the superior court for Guilford County." [As title indicates, repeals provisions for appointment of assistant CSC's in Guilford County. Makes G.S. 2-10, which permits 4 assistant CSC's in counties over 80,000 applicable to Guilford. Confirms all appointments made under repealed chapter for remainder of term for which appointment was made, or until vacancy is caused by resignation, death or removal.] To Judiciary 1.

HB 592 - (Guilford) Introduced by Shreve, Crissman and Hunt
"To amend subsection (j) of Section 5 of Chapter 699 of the Public-Local Laws of 1927, relative to appeals from the High Point municipal court to the superior court." [Rewrites cited section to provide that appeals from municipal to superior court (High Point division) may be taken in manner of appeals from superior to supreme court under supreme court rules except that: (1) municipal court judge is to fix times for service of statement of case, exceptions or counter case, to settle case on appeal within 10 days after request (appellant is to make request within 5 days after failure to agree upon case within time fixed) and on 5 days written notice to opposing counsel; (2) if appellant fails to make such request, exceptions or counter case of appellee and unobjected to portion of case served on appellee constitute case on appeal; (3) two typewritten copies of record transcript are to be filed by appellant with CSC within 5 days after case on appeal has been agreed to, fixed by time lapse, or settled by municipal court judge; (4) if transcript is filed 20 days or more prior to next High Point superior court civil term it is to be placed at top of motion calendar, but if not so filed, it is to be placed at top of calendar for second civil term unless counsel agree in writing to hearing within shorter period; (5) hearing is to be on briefs (typewritten if desired, but one copy each for judge and opposing counsel) and oral arguments, appellant's brief to be served on appellee within 14 days of hearing and appellee's brief to be served on appellant within 7 days thereafter but no later than 7 days before hearing; (6) presiding superior court judge may affirm, modify and affirm, reverse or remand case and CSC is to certify judgment within 5 days after adjournment of civil term at which appeal is heard to municipal court clerk. If conflict arises as to applicability of supreme court rules before case on appeal fixed, municipal judge makes controlling order; if after case on appeal fixed, superior court judge order controls.] To Judiciary 2.

HB 593 - (Gates) Introduced by Askew
"To amend Chapter 88 of the Private Laws of 1923 relating to the corporate limits of the Town of Gatesville." [Rewrites Ch. 88, Sec. 2, 1923 Private Laws, to fix corporate limits of town.] To Counties, Cities and Towns.

HB 594 - (Jackson) Introduced by Brown
"To provide for the nomination of members of the board of education of Jackson County in a primary election from districts." [Provides for nomination of candidates for board of education at next general primary held for selection of candidates for county offices and General Assembly. County is divided into 4 districts (precincts in each district are set out in bill); three are to nominate one candidate each and one is to nominate 2 candidates (the two persons receiving highest number of votes). Candidate must reside in district from which he is nominated,

be eligible voter in county, and pay $5 filing fee. County executive committee of candidate's party is to break tie vote. Nominees are to be certified within 10 days after nomination by chairman of county board of elections to state superintendent of public instruction, who is to transmit the names (and party affiliations) to chairman of General Assembly Committee on Education within ten days of next session's convening.] To Education.

HB 595 - (Jackson) Introduced by Brown

"To fix the date of the election of town officials for the Town of Sylva, in Jackson County." [As title indicates, sets date for next election on Tuesday after the first Monday in May, 1953, and biennially thereafter. Present mayor and aldermen are to hold office until July 1, 1953, when new officials are to take office. Offices change biennially thereafter on July 1.] To Elections and Election Laws.

HB 596 - (Buncombe) Introduced by Jordan

"To authorize the desk sergeants in the office of the sheriff of Buncombe County to issue warrants returnable before the domestic relations court of Buncombe County." [Requires sheriff to furnish judge of domestic relations court names of not over 3 regularly designated desk sergeants, and requires judge to appoint persons designated as special deputy clerks of domestic relations court with authority to issue warrants returnable before such court.] To Judiciary 1.

HB 599 - (Craven) Introduced by Whitehurst

"To incorporate the Town of Havelock, North Carolina, in Craven County." [Incorporates Havelock, defines corporate limits, and provides for town officers to consist of mayor and 5 commissioners. Directs county elections board to conduct election within proposed Havelock limits on second Tuesday after first Monday in June, to determine whether or not Havelock shall be incorporated, and to elect members of governing body if town is incorporated, and to publish in one or more newspapers for 4 consecutive weeks prior to such election a call for election containing provisions which (1) describe territory proposed to be incorporated; (2) "provide that the question as to whether or not said area shall be incorporated shall be submitted to a vote of the qualified electors;" (3) advise that a mayor and 5 commissioners will be elected to govern town if incorporated; (4) name registrars and judges of election; and (5) give location of polling places, time for registration, date of election and hours of voting. Election is to be conducted under provisions of this act and of G.S. municipal election laws where not inconsistent. Authorizes county commissioners to appropriate funds for incorporation election to election board (permits election board to accept gifts for such purpose if commissioners refuse to appropriate necessary funds). Any funds advanced are to be returned to county by town if incorporated. Town is declared incorporated if majority of votes cast at such election favor incorporation from and after date of declaration of election results. Directs elections board at same time call is issued for incorporation election to issue call in same manner for election of mayor and five commissioners. Any qualified elector may be nominated by filing petition signed by any five "electors of the municipality" with elections board (in future elections if town is incorporated, with town clerk) not later than 14 days prior to election date. Sets out form for such petitions. Fixes terms of office of mayor and commissioners (in event town is incorporated) at two years.] To Counties, Cities and Towns.

HB 600 - (Sampson) Introduced by Vann

"To amend Chapter 382, Session Laws of one thousand nine hundred forty-seven, relating to the issuance of school building bonds in behalf of school districts and the levy of taxes within such districts for the payment of the principal and interest of such bonds." [Adds new section to cited law, setting procedure for obtaining special election to enlarge boundary of school district created under the law. If petition signed by up to 10% of voters in territory contiguous to district is presented to county board of education, seeking enlargement of district, board may present petition to county commissioners asking that special election be held in territory (which may be same as named in petition or as altered by education board). Commissioners must order election in territory to determine question of enlargement of district and levying sufficient tax to meet interest and sinking fund requirements of outstanding bonds previously issued by district. If boundaries of district to be enlarged are same as those of a city administrative unit which has voted a supplementary tax, question of enlargement of such unit may also be submitted to voters at the election. Bill sets out form for ballot in each case.] To Finance.

HB 601 - (Lenoir) Introduced by White
"To authorize the board of county commissioners of Lenoir County, in its discretion, to make a limited appropriation for the purpose of establishing an agricultural center on property of the county." [Authorizes county commissioners to appropriate up to $20,000 for exhibition center for agricultural products and livestock. Construction contract may be negotiated privately at best available price without compliance with Public Contracts Act or may be let to highest bidder under that Act. Commissioners may appoint building committee of up to 5 persons for conducting preliminary negotiations, supervising construction, and expending funds. Center must be constructed on property already owned by county.] To Counties, Cities and Towns.

HOUSE CALENDAR ACTION

PUBLIC BILLS

SB 29 - Joint bank accounts, as amended in Senate 3/2. Received from Senate; sent to Banks and Banking.
SB 47 - Adoption consent when parents incompetent (Senate committee substitute 2/27). Re-referred to Judiciary 2.
SB 51 - Housing bonds tax exemption. Received from Senate; sent to Judiciary 2.
SB 84 - Assistance checks of dead recipients. Amended by striking provision which deleted second paragraph of G.S. 108-32, and by rewriting that paragraph to provide that old age assistance checks for dead recipients are to be delivered to CSC to be administered by him under G.S. 28-68. Passed second and third readings.
SB 96 - Deleting vehicle displacement law. Reported favorably.
SR 102 - (Joint Resolution) School law study commission. Reported favorably; re-referred to Appropriations.
SB 114 - Lumbee Indians. Withdrawn from Propositions and Grievances; re-referred to Local Government.
SB 142 - Authorizing optometry certificate revocation, as amended in Senate 2/27. Passed second and third readings.
SB 146 - Korean veteran benefits. Reported favorably.
SB 157 - Court term for trying issued joined. Passed second and third readings.
SB 170 - Reorganizing State Ports Authority. Passed second and third readings.
SB 172 - Vehicle license plates draft defaults. Passed second and third readings.
SB 176 - Altering motor vehicle numbers. Passed second reading.
SB 212 - Permitting series stock issuance. Received from Senate; sent to Corporation

HB 47 - Requiring turn signals. Reported favorably as to committee substitute; committee substitute adopted to make it unlawful for owner of motor vehicle manufactured or assembled after July 1, 1953 (instead of January 1, 1954, as in original bill), to register vehicle unless equipped with mechanical or electrical turn signals. Also makes it unlawful for dealer to sell or deliver such vehicle when there is reason to believe purchaser intends to register vehicle in this state.
HB 99 - Rewording hit and run statute. Reported favorably as amended.
HB 163 - Two-judge superior court districts, as amended in House 2/20. Reported favorably as amended.
HB 197 - School bus routing. Reported favorably; re-referred to Appropriations.

HB 254 - Truck splash guards. Reported unfavorably.
HB 268 - Veterans bonus. Reported unfavorably.
HB 404 - Authorizing deputy CSC summons signing. Amended to make bill inapplicable to pending litigation; passed second and third readings.
HB 405 - Marriage license return to register. Amended to correct typographical error; passed second and third readings.
HB 460 - Appointing harbor masters. Passed second and third readings.
HB 517 - Headlight dimming. Reported favorably.
HB 518 - Clear rear light prohibition. Reported favorably.
HB 519 - Passing on right. Reported favorably.
HB 520 - Vehicle front red lights. Reported favorably.
HB 521 - Easing license requirements for minors. Reported favorably.
HB 522 - Permitting driving instruction at night. Reported favorably.
HB 530 - Supreme Court reports to Utilities Commission. Passed second and third readings.
HB 557 - JP jurisdiction over driver license violations. Reported favorably.

LOCAL BILLS

SB 120 - (Lee) Approving education board contracts. Reported favorably.
SB 127 - (Bladen) Increasing Bladenboro commissioners. Reported favorably.
SB 145 - (Madison) School district bond act. Received from Senate; sent to Finance.
SB 148 - (McDowell) County court concurrent jurisdiction, as amended in Senate 2/27. Reported favorably.
SB 152 - (McDowell) Transferring historical records. Reported favorably.
SB 155 - (Gaston) School election registration. Reported favorably.
SB 156 - (Gaston) Voter qualification for school election. Received from Senate; sent to Education.
SB 167 - (Franklin) Louisburg street conveyance. Reported favorably.
SB 169 - (Durham) Renaming Durham tax collector. Reported favorably.
SB 195 - (Wake) Raleigh property exchanges. Passed second and third readings.
SB 196 - (Wake) Raleigh zoning hearing. Passed second and third readings.
SB 203 - (Sampson) Volunteer firemen jury exemption. Reported favorably.
SB 205 - (Gates) Validating conveyances. Passed second and third readings.

HB 209 - (Columbus) Repealing 1951 recorder court law. Reported favorably.
HB 258 - (Johnston) Firemen jury duty exemption. Reported favorably.
HB 305 - (New Hanover) Private sale of Wilmington property. Reported favorably.
HB 315 - (Columbus) Sheriff and constable fees. Reported favorably as to committee substitute; committee substitute adopted to set forth new schedule of fees, and making them applicable to sheriffs, JPs, "and other officers" rather than to sheriff, his deputies, and constables as in original bill.
HB 323 - (Rockingham) School unit property disposal. Reported favorably.
HB 324 - (Granville) Oxford police jurisdiction extension. Reported favorably.
HB 341 - (Mecklenburg) Requiring signature for CSC acceptance. Reported favorably as amended.
HB 351 - (Orange) Officials fees. Reported favorably.
HB 352 - (Orange) Assistant coroner. Reported favorably.
HB 353 - (Orange) JP fees. Reported favorably.
HB 354 - (Orange) Officials salaries. Reported favorably.
HB 355 - (Orange) Officials per diem. Reported favorably.
HB 356 - (Orange) County commissioners election. Reported favorably.
HB 358 - (Orange) Carrboro commissioners election. Reported favorably.
HB 373 - (Henderson) Hendersonville hospital property transfer. Reported favorably.
HB 378 - (Forsyth) Winston-Salem peace officers fund. Reported favorably.
HB 381 - (Lee) County commissioners election. Reported favorably.
HB 394 - (Macon) Fire protection aid. Reported favorably as amended.
HB 430 - (Dare) Community center property transfer. Reported favorably.

HB 431 - (Dare) Requiring building permits. Reported favorably.
HB 439 - (Polk) Sheriffs and jailer salaries. Reported favorably.
HB 453 - (Wake) Assistant clerks. Reported favorably.
HB 457 - (Warren) Surplus bond fund distribution. Reported favorably as amended.
HB 458 - (Greene) Requiring 1953 revaluation. Reported favorably.
HB 459 - (Randolph) Substitute county recorder. Received from Senate; reconsidered votes by which bill passed second and third readings; re-referred to Judiciary 2.
HB 462 - (Rutherford) Forest City supplemental retirement appropriation. Reported favorably.
HB 464 - (Carteret) Extending Morehead City assessment due date. Reported favorably.
HB 469 - (Wilson) Increasing Sims commissioners. Reported favorably.
HB 483 - (Vance) CSC advance fee collection. Passed second and third readings.
HB 493 - (Wake) Wendell primary and town manager. Passed second and third readings.
HB 513 - (Franklin) Franklinton mayor court jury trial. Reported favorably.
HB 514 - (Rutherford) Ellenboro biennial elections. Reported favorably.
HB 526 - (Chatham) Delinquent taxes to general fund. Reported favorably.
HB 527 - (New Hanover) Mrs. Robinson's pension. Reported favorably.
HB 532 - (Wake) Cary officials election. Reported favorably.
HB 534 - (Wake) Increasing weeks of superior court. Reported favorably.
HB 535 - (Johnston) Grand jury terms. Reported favorably.
HB 537 - (Cherokee) Volunteer firemen jury exemption. Reported favorably.
HB 538 - (Cherokee) County auditor assistant. Reported favorably.
HB 541 - (Franklin) Louisburg conveyance to education board. Reported favorably.
HB 542 - (Franklin) Recorder salary. Reported favorably.
HB 548 - (Polk) Delinquent tax transfer. Reported favorably.
HB 555 - (Bertie) Validating tax levies and sales. Passed second and third readings.
HB 556 - (Sampson) Roseboro cemetery commission. Passed second reading.
HB 562 - (Brunswick) School motion picture regulation. Reported favorably.
HB 581 - (Halifax) Extending Scotland Neck limits. Reported favorably.

BILLS RATIFIED

SB 235 - (Halifax) Roanoke Rapids election registration.

HB 41 - (Bertie and Hertford) Bay rum prohibition exemption, as amended in Senate 2/27.
HB 155 - (Burke) Tax discounts and penalties.
HB 193 - Raising pharmacist license fees.
HB 229 - (Mecklenburg) Davidson tax prepayment discounts.
HB 260 - (Burke) Prohibiting pre-1931 tax collection.
HB 281 - (Rowan) Postponing revaluation.
HB 289 - Medical license fees.
HB 298 - (Alamance) Authorizing off-year revaluation.

Next session of House: 12 noon, Thursday, March 5, 1953.

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INSTITUTE OF GOVERNMENT

LEGISLATIVE SERVICE

GENERAL ASSEMBLY OF NORTH CAROLINA

DAILY BULLETIN

P. O. Box 1658 111 West Morgan St., Raleigh, N. C. Telephone 3-5515

BULLETIN NO. 43
Thursday, March 5, 1953

Session: Senate -- 12 noon

PUBLIC BILLS INTRODUCED -- SENATE

SB 261 - Introduced by Copeland and others

"To amend the wholesale sales tax status so as to promote fair conditions of competition for North Carolina wholesale merchants in competition with out-of-state wholesalers and dealers and to correct other inequities now existing due to the said tax." [Citing inequities of present wholesale sales tax law, repeals first paragraph of G. S. 105-168(a) which levies $10 annual license on wholesale merchants and additional tax of 1/20 of 1% of total gross sales and deletes provision of second paragraph authorizing commissioner of revenue to prevent abuse in regulations defining transactions entitled to wholesale tax rate. Rewrites G. S. 105-169(m) and (t) to delete reference to wholesale tax rate but retain tax of 1/20 of 1% on items included in subsections. Rewrites last sentence of G.S. 105-167(5) to delete reference to wholesale sale but provide that sale of tangible personal property to a manufacturer which becomes part of property manufactured is to be taxed at 1/20 of 1% of sales price. Effective June 1, 1953.] To Finance.

SB 262 - Introduced by Moore and others

"To provide for the payment of the salary of a member of the State Highway Patrol injured while in the performance of his official duties." [Identical with HB 598 digested in House section of Bulletin No. 42, Wednesday, March 4.] To Salaries and Fees.

SB 263 - Introduced by Scott and others

"To provide for the supervision, regulation and control of the production, processing, transportation, storage, distribution and sale of milk and cream; to create a milk commission and local milk boards and to define and provide for the functions, duties and powers thereof." [Creates 5 member N. C. State milk commission with powers; (1) to enter into inter-state compacts to achieve uniform system of milk control; (2) to supervise, regulate and control production, transportation, processing, storage, distribution, delivery and sale (and to investigate all such enumerated activities except transportation and delivery) of milk for consumption in N. C.; (3) to mediate among milk producers and distributors; to examine books (with power to subpoena and take depositions) of milk producers and distributors and their subsidiaries or affiliates; (4) to hold hearings and make rules, regulations and/or orders to effect purposes of bill (contains specific provisions for notice to persons affected by order or rule.) Members of commission are to be: one milk producer, one milk processor and distributor, one milk producer-distributor, one public member not connected with milk production or distribution, and commissioner of agriculture. All but commissioner are to be appointed by governor for four year staggered terms (three milk industry representatives to be appointed on recommendations of producers, producer-distributor, and distributors). Members pay is to be set by governor and Council of State. Commissioner is to provide necessary services as far as practical from Dept. of Agriculture and Experiment Station of N. C. State, without additional compensation. Commission may act only by majority and three constitute quorum. Commission may exercise its power, in any municipality of two or more municipalities and surrounding territory designated by commission as a natural marketing area, after public hearing called on its own motion or on application of milk producers or distributors supplying such area. Commission is to "withdraw" exercise of its power from such area on written application of majority of producers (measured by volume) in the area. Commission may: (1) after public hearing and investigation fix milk prices (paid producers, maximum and minimum wholesale and retail prices and prices varying with grade of milk) charged in a natural marketing area; (2) require commission licenses (which may be classified by area of operation) of distributors in such an area, and may refuse, suspend or revoke such licenses after due notice and hearing; (3) fix limits of milk shed within which milk shall be produced to supply a natural marketing area (present supplies to marketing areas may not be so limited); (4) delegate its powers to marketing area milk boards; (5) assess local boards not more than 4¢ per 100 lb. of milk handled, to meet necessary expenses of commission; (6) require distributor to make deductions, authorized by producer, from funds held for producer. Distributors in such area where bill's provisions are in effect may not buy, sell or distribute milk within State unless licensed, and it is unlawful to buy milk from or sell milk to such unlicensed distributor or to deal in or handle milk where there is reason to believe it has been previously dealt in or handled in violation of bill's provisions. Distributor's license is to be applied for within 5 days after bill's provisions become effective in his marketing area and prior to beginning business if business is thereafter begun. To "secure benefits" of bill in natural marketing area, 5 member milk board is to be formed to carry out bill's provisions. Members are to be: the producers who supply milk to the area (both named by producers' association in area when it handles 50% or more of milk therein sold, and otherwise, one named by such association); two representatives of area's distributors; and one public representative to serve as chairman (appointed by commission, which is also to determine producer, producer-distributor, and distributor board representation in areas where producers-distributors handle 50% or more of milk used). Commission may apply to any court of record to enjoin violation of bill's provisions without alleging or proving adequate remedy at law does not exist. Violation of provisions of bill or of commission license is misdemeanor punishable by fine from $25 to $100 or imprisonment from 30 days to one year or both. Each day violation occurs is separate offense. Contains definitions of terms used in bill. Price fixing orders and other orders, actions, rules or regulations may be appealed to court. Appeal is not to act as supersedeas except on court order.] To Agriculture.

SB 266 - Introduced by Whitley and others

"To establish and maintain a program of instruction in driver training and safety education in the public schools of North Carolina, and to appropriate the sum of twenty-five thousand dollars ($25,000) for each year of the biennium for the maintenance thereof." [Citing necessity to teach youths safe driving habits and dangers of improper operation of motor vehicles, provides for non-credit courses in driver training and safety education in public schools under supervision of supt. of public instruction. To administer program, appropriates $25,000 for each year of biennium from general fund to Dept. of Public Instruction for salaries and expenses of necessary supervisory personnel.] To Education.

SB 267 - Introduced by Sanford

"To amend Article 2 of Chapter 110 of the General Statutes of North Carolina so as to extend the jurisdiction of juvenile courts to include certain children under seventeen years of age." [Amends G.S. 110-21 to extend superior court jurisdiction over minors to include jurisdiction over certain minors over 16 and under 17 years, charged with criminal offenses, as follows: (1) Juvenile judge is to have no jurisdiction over minors (16 and under 17) charged with felony or violation of state or municipal motor vehicle laws; (2) for any other offense, minor (16 and under 17) is to have case investigated by probation officer and juvenile judge as now provided for minors under 16, except that if such minor has been previously convicted in State or brought before juvenile court under subdivision (1) (for being delinquent, truant, misdirected or disobedient to parents or violating any law), juvenile judge is to bind over minor for prosecution as adult in court having jurisdiction of offense charged; and (3) in all other cases juvenile court is to have exclusive jurisdiction of minor (16 and under 17) and such minor is considered a "child" for purposes of article.] To Judiciary 1.

SR 269 - (Joint Resolution) Introduced by Larkins and others
"Directing the state auditor to deliver to the assistant director of the budget salary vouchers for the period June 13, 1952--January 9, 1953." (As title indicates.) To Appropriations.

SB 270 - Introduced by Jones and others
"To amend the laws relating to the practice of dentistry." [Amends G.S. 90-39 to increase fees to be charged by State Board of Dental Examiners as follows: (1) for each applicant for examination, from $20 to $30; (2) for each license renewal, from $2 to $5; (3) for out-of-state dentist to practice in state, from $20 to $30; and (4) for dentist returning to state or retired, to resume practice, from $10 to $30. Amends G. S. 90-38 to delete referenee to fee to be paid by dentists moving back into state or resuming practice. Amends G.S. 90-29 to authorize Board of Dental Examiners to issue non-renewable "limited licenses" (valid for 1 year or 30 days after next succeeding examination results are announced, whichever occurs first) to graduate employees of division of oral hygiene of State Board of Health. Limited licensees may perform only dental operations authorized by board and in official duties. Amends G.S. 90-29 (requiring license to practice dentistry) by rewriting subsection (d) to exempt teaching of dentistry in approved schools by persons licensed anywhere in U. S. and practice of dentistry by senior dental students without pay upon patients of institutions, wholly supported by state or subdivions thereof, under supervision of registered and licensed instructor; adds new subsection to exempt practice of dentistry (up to 1 year) by graduate intern under supervision of dental staff of approved hospital. Amends G.S. 90-47 to permit dentistry to be taught in approved hospitals by persons licensed to practice within U. S. Amends G. S. 90-31 to provide for additional $5 fee for renewal applications received after Jan. 31; if application and fees are not received by June 30, persons thereafter practicing dentistry are subject to G. S. 90-40 (penalties for unauthorized practice of dentistry). Amends G.S. 90-40 to conform to G.S. 90-31 as amended.] To Public Health.

SB 271 - Introduced by Hobgood
"Relating to transporting crushed rock, stone or asphalt on the streets and highways of this state." [Makes it misdemeanor, punishable by fine up to $50 or imprisonment up to 30 days, to transport crushed rock or asphalt on the highways when any portion of load extends higher than sides of vehicle bed or body unless load is securely covered by tarpaulin or similar covering so as to prevent load from escaping while vehicle is in motion.] To Public Roads.

LOCAL BILLS

SB 264 (Lee) - Introduced by Williams
"To authorize the county commissioners of Lee County to fix the salaries of all elective and appointive county officials and employees drawing compensation from the county." [As title indicates. Fixes maximum annual salary of $5000 for sheriff and $6000 for tax collector.] To Salaries and Fees.

SB 265 (Halifax) - Introduced by Crew
"To amend Chapter 67 of the Public Local Laws of 1937 relating to the city limits of Roanoke Rapids in Halifax County." [Amends Sec. 3 of cited chapter to add that when election is held to extend Roanoke Rapids sanitary district to include

an area outside city limits, county board of elections is to simultaneously submit ballot to voters of city and of area to be included in sanitary district to determine if that area shall also be annexed to city. City is to pay cost of election, to be held according to G.S. 160-448, 160-450 and 160-451. Sets out ballot form and provides for annexation of area if majority of those voting favor annexation and majority of those voting in area to be annexed to sanitary district favor extension of the district. If majority of those voting in area to be annexed disapprove extension of sanitary district, area is not to be annexed to city regardless of outcome of vote on annexing area to city. If area is annexed it is subject to city taxes levied for fiscal year following annexation date.] To Counties, Cities and Towns.

SB 268 (Madison) - Introduced by Edney
"Amending Chapter 210, Private Laws of 1929, the same being the amended charter of the Town of Hot Springs in Madison County, by rewriting Section 7 thereof." [Amends cited section to raise from $1 to $1.50 the tax (to meet current expenses, pay bonded debt, costs of public improvements) which may be levied on each $100 valuation of property. Adds that cited section does not limit or qualify town's duty and authority to levy ad valorem taxes for payment of interest and principal of bonds issued under Municipal Finance Act.] To Finance.

SENATE CALENDAR ACTION

PUBLIC BILLS

SB 84 - Assistance checks of dead recipients, as amended in House 3/4. Received from House for concurrence in House amendment; concurred.
SB 86 - Narcotic Drug Act amendments. Reported favorably as to committee substitute; re-referred to Judiciary 2.
SB 130 - Bank incorporation certificates. Reported favorably.
SB 137 - Examining adverse parties. Reported favorably.
SB 143 - Special trout licenses. Passed third reading.
SB 216 - Dental student loan fund. Reported favorably.
SB 220 - Leased vehicle licensing procedure. Passed second reading.
SB 242 - Licensing special mobile equipment. Amended to include in definition of special mobile equipment trucks on which special equipment has been mounted and used by American Legion for parade purposes; passed second reading.

HB 62 - Securing tobacco hogsheads (House committee substitute 2/11). Amendment adopted; amends G.S. 20-120 to require that each section or tier of tobacco hogsheads be secured to truck; passed second and third readings.
HB 180 - Plumbing and heating contractor licensing. Reported favorably.
HB 185 - Road construction damage suit limitation, as amended in House 2/20. Passed second and third readings.
HR 205 - (Joint Resolution) Governmental reorganization commission, as amended in House 2/24. Reported favorably.
HB 235 - Law books for Industrial Commission. Reported favorably.
HB 256 - Petition signatures in special proceedings, as amended in House 2/23. Reported favorably.
HB 380 - Non liability for record destruction. Passed second and third readings.
HB 460 - Appointing harbor masters. Received from House; sent to Conservation and Development.
HB 530 - Supreme court reports to Utilities Commission. Received from House; sent to Judiciary 2.

LOCAL BILLS

SB 13 - (Graham) Jailer fees, as amended in House 2/13. Reported favorably.
SB 250 - (Yadkin) Increasing officials salaries. Reported favorably.

HB 124 - (Columbus) Tabor City mayor court costs. Reported favorably.
HB 130 - (Henderson) Officials salaries. Reported favorably.
HB 213 - (Craven) Officials salaries and expenses. Reported favorably.
HB 221 - (Cumberland) Prohibiting deer hunting in certain townships, as amended in House 2/20. Reported favorably.
HB 311 - (Moore) Volunteer firemen jury exemption, as amended in House 3/3. Received from House; sent to Courts and Judicial Districts.
HB 316 - (Dare) Kill Devil Hills incorporation. Passed third reading.
HB 340 - (Perquimans) County commissioners salaries. Reported favorably.
HB 358 - (Orange) Carrboro commissioners election. Received from House; placed on calendar; passed second and third readings.
HB 361 - (Robeson) Extending Fairmont limits. Passed third reading.
HB 370 - (Wake) Redefining Garner limits. Passed second reading.
HB 379 - (Rowan) Fee for serving JP process. Reported favorably.
HB 382 - (Madison) Register fees. Reported favorably.
HB 383 - (Madison) CSC fees. Reported favorably.
HB 397 - (Person) Prohibiting taxicab fare non-payment. Passed second and third readings.
HB 406 - (Rowan) Superior court summons execution fees, as amended in House 2/27. Reported favorably.
HB 408 - (Scotland) Ratifying Laurinburg obligation issuance. Passed third reading.
HB 483 - (Vance) CSC advance fee collection. Received from House; sent to Judiciary 2.
HB 493 - (Wake) Wendell primary and town managers. Received from House; sent to Counties, Cities and Towns.
HB 555 - (Bertie) Validating tax levies and sales. Received from House; sent to Finance.

Next session of Senate: 10:00 a.m., Friday, March 6, 1953.

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BULLETIN NO. 43
Thursday, March 5, 1953

Session: House -- 12 noon

PUBLIC BILLS INTRODUCED -- HOUSE

HB 603 - Introduced by Stone and others

"To amend the wholesale sales tax statutes so as to promote fair conditions of competition for North Carolina wholesale merchants in competition with out-of-state wholesalers and dealers and to correct other inequities now existing due to the said tax." [Identical with SB 261 digested in the Senate section of today's bulletin.] To Finance.

HB 609 - Introduced by Crissman and others

"Authorizing the State Board of Education to alter the boundaries of any city administrative unit which includes the greater portion of an incorporated city or town so as to include within the city administrative unit the portion of the incorporated city or town which lies outside of such city administrative unit and relating to the levy and collection of school taxes in the area so added to the city administrative unit." [Adds to G.S. 115-352 a new paragraph, providing that where city administrative unit includes the greater portion, but not all, of incorporated city and no qualified voters live within portion of city not in unit, State Board of Education may extend unit boundaries to include such area. After such extension, if special tax for local supplement has previously been voted by unit and is still in effect, county commissioners must levy same tax for schools in the included area as in unit to which area is added. Effective July 1, 1953.] To Education.

HB 610 - Introduced by Greene

"To amend the Uniform Driver's License Act with reference to the renewal of licenses of operators and chauffeurs." [Amends G.S. 20-7 by deleting subsection (n) which set expiration dates for operator's licenses issued prior to July 1, 1947 (section is no longer applicable). Amends G.S. 20-7, subsection (o) by changing designation to (n), and by making the proviso apply to chauffeur's as well as operator's license. (Proviso prevents person whose license had expired at time of offense from being convicted of driving without license if he produces in court a license issued to him within 30 days after expiration if license would have been a defense had it been issued prior to alleged offense.] To Roads and Highway Safety.

HB 611 - Introduced by Greene

"To amend the motor vehicle law with reference to the requirement that motor vehicles stop for school, church, and Sunday school buses in certain instances.' [Amends G.S. 20-217, which requires drivers approaching school, church, or Sunday school buses from either direction "on the same highway" to stop, by adding provision (1) that when 2 or more parts of a highway are separated by an area at least 5 feet wide, no 2 parts will be considered "the same highway" within meaning of section, and (2) that regardless of width or number of lanes of highway not so divided, vehicles traveling on any part are considered on "same highway."] To Roads and Highway Safety.

HB 615 - Introduced by Falls

"To require school buses to be equipped, both front and rear, with flashing stop lights." [Directs State Board of Education to equip all school buses operated as part of school system with flashing stop lights on front and rear, cost to be paid from funds available for purchase of school buses. Buses purchased after ratification of bill must be equipped with such lights.] To Appropriations.

HB 617 - Introduced by Edwards

"To promote safety on the highways by amending the motor vehicle laws respecting the report of collisions." [Repeals G.S. 20-166(d), (e), (f), and (g). Adds new G.S. 20-166.1 to enact similar provisions to those contained in repealed subsections, with following changes: (1) adds provision requiring driver of vehicle involved in collision resulting in injury or death or $25 or more apparent property damage to give notice by quickest means of communication to local police if within municipality or nearest S.H.P. station or sheriff or rural police if outside municipality; (2) deletes requirement for report to police department within 24 hours when accident occurs in city, and requires driver to make written report of such accident to motor vehicles department (in addition to notifying police, sheriff, or patrol), and driver's report is to be in addition to officer's report; (3) adds requirement that driver of vehicle colliding with parked vehicle must make oral or written report of collision immediately to parked vehicle owner, giving time, date, place of collision, name, address, operator or chauffeur license number, and registration number of vehicle being operated at time of collision, and if unable to contact owner, driver must file regular reports as required in other cases; such report can be used in a civil action only to establish identity of operator of moving vehicle; failure to report (as required)collision with unattended vehicle is misdemeanor, punishable by fine, imprisonment, or both in court's discretion; (4) adds provision requiring S.H.P., sheriff's office, or rural police to investigate all collisions required to be reported when collision is outside municipality, and city police when within. Requires investigating officer to forward written report within 24 hours to municipal police when accident was in town or to motor vehicles department otherwise, except that officers other than highway patrolmen send report to sheriff or rural police when accident is outside municipalities. Police, sheriff, and rural police forward reports to department within 10 days of collision date. If person dies within 12 months of collision, investigating officer must file supplemental report of death; (5) requires coroners to report deaths caused by collisions within five days of the deaths (instead of monthly reports), and requires hospitals to notify coroners of such deaths; (6) requires common carrier and driver to make reports of collisions to department within 10 days of collisions (instead of on 10th day of month after collision for carrier report); (7) requires collision reports to be made on department forms; (8) authorizes department to furnish copies of collision reports to any federal, state, or local governmental department (instead of veterans agencies only); (9) adds coroners to list of officers whose reports are open to public inspection; (10) deletes provision requiring vehicle occupants to report collisions where driver is injured. Effective July 1, 1953.] To Roads and Highway Safety.

HB 618 - Introduced by Edwards

"To amend the uniform driver's license law with reference to the period of suspension or revocation." [Rewrites G.S. 20-19, subsections (c) and (f) to clarify period of license suspension or revocation. Subsections now set 1-year maximum period in cases where suspension or revocation is under any provision of law other than those referred to in G.S. 20-19. Bill provides 1-year maximum where suspension or revocation is under any other provision of driver's license act which does not specifically provide a period.] To Roads and Highway Safety.

HB 619 - Introduced by Edwards

"To amend the uniform driver's license act so as to change the definition of 'motor vehicle' therein." [Amends G.S. 20-6 by rewriting the definition of motor vehicle in cited law so as to include (1) "every vehicle which is self-propelled" (thus including following vehicles presently exempt: aircraft, road rollers, street sprinklers, ambulances owned by municipalities, baggage trucks and tractors used about railroad stations, and agricultural and industrial tractors), (2) vehicles propelled by electricity obtained from trolly wires but not operated on rails, and (3) vehicles designed for use on highways which are pulled by self-propelled vehicles.] To Roads and Highway Safety.

HB 620 - Introduced by Edwards

"To amend the motor vehicle law with reference to lights on parked vehicles." [Adds paragraph to G.S. 20-134 requiring that vehicles stopped or parked upon a highway at night, whether attended or not, must have headlights dimmed until vehicle is driven forward on highway.] To Roads and Highway Safety.

HB 621 - Introduced by Edwards

"To amend the motor vehicle law to require a rear view mirror upon each passenger vehicle." [Adds paragraph to G.S. 20-126 to prohibit driving of passenger motor vehicle upon highway without a mirror (of type approved by commissioner) so located as to reflect to driver a view of highway at least 200 feet to rear.] To Roads and Highway Safety.

HB 622 - Introduced by Edwards

"To prevent the operation upon the highways of any motor vehicle so overloaded or overcrowded as to restrict its proper operation." [Adds new section, G.S. 20-140.2 making it unlawful to operate on highway (1) motor vehicle so loaded with passengers or property as to obstruct operator's view or to impair proper operation of vehicle, (2) motorcycle carrying persons in excess of number for which designed by manufacturer, and (3) motor scooter carrying person other than operator. Violation is misdemeanor, punishable as under G.S. 20-176 (fine up to $100 or imprisonment up to 60 days or both).] To Roads and Highway Safety.

HB 623 - Introduced by Edwards

"To amend the motor vehicle laws of North Carolina to forbid the sale or installation upon a motor vehicle of a muffler not approved by the Department of Motor Vehicles." [Adds paragraph (c) to G.S. 20-128 making it unlawful to sell, transfer, or install upon a motor vehicle intended to be operated upon N.C. highway a muffler of type not approved by department.] To Roads and Highway Safety.

HB 627 - Introduced by Branch

"To provide for the amendment of the motor vehicle law to authorize the suspension of an operator's or chauffeur's license by a court of record." [Adds to G.S. 20-24 authority for judge of court of record to suspend for up to 60 days license of person convicted of or pleading nolo contendere to any motor vehicle law violation for which law violation for which revocation of license is not mandatory. In seeking reissuance or reinstatement of license such person need not comply with motor vehicle safety and financial responsibility act.] To Roads and Highway Safety.

HB 628 - Introduced by Branch

"To amend the motor vehicle laws to prohibit the operation of a motor vehicle while under the influence of drugs." [Amends G.S. 20-138, which prohibits operation of vehicle on highway by person who is habitual user of narcotic drugs, by adding prohibition against driving motor vehicle upon highway by person under influence of any other drug to such a degree as to impair his ability to operate vehicle safely.] To Judiciary 2.

HB 629 - Introduced by Branch

"To amend the uniform driver's license law with reference to the suspension of an operator's or chauffeur's license for speeding." [Amends G.S. 20-16(a), paragraph 9, which relates to department's authority to suspend license of person convicted of certain named offenses, to substitute words "within period of 12 months" for words "within one (1) year".] To Roads and Highway Safety.

HB 630 - Introduced by Branch

"To prohibit the issuance of an operator's or chauffeur's license to any person who is an habitual user of narcotic drugs or barbiturates." [Rewrites G.S. 20-9(c) to add habitual users of barbiturates (whether or not on prescription of physician) to class of persons who cannot be issued operator or chauffeur licenses.] To Roads and Highway Safety.

HB 631 - Introduced by Branch

"To amend the motor vehicle safety and responsibility act." [Amends G.S. 20-229 to provide that operator or chauffeur licenses of highway patrolmen and police officers are not to be suspended or revoked because of judgments against such officers as result of operation of motor vehicles in performance of official duties.] To Judiciary 2.

HB 632 - Introduced by Branch

"To amend G.S. 15-10.1 relating to the issuance of detainers." [Amends cited section to permit the clerk of a court as well as the judge to issue a detainer for any prisoner against whom a docketed case is pending in the court.] To Judiciary 2.

HB 635 - Introduced by Gavin

"To amend G.S. 6-21, subsection 2, as it relates to court costs and attorney fees in caveats to wills." [Effective July 1, 1953, amends cited subsection, which permits costs in named actions to be charged in discretion of court, to provide that caveators are to be allowed no costs from estate if issue of devisavit vel non is determined against such caveators.] To Judiciary 2.

HB 643 - Introduced by Swindell

"To amend G.S. 113-137 relating to the effective date of regulations made by the Board of Conservation and Development." [Amends cited section to prevent changes in board regulations (instead of general laws) from going into effect for two years from date of adoption if such changes would tend to cause fishermen to lose their property.] To Conservation and Development.

HB 645 - Introduced by Swindell

"To amend G.S. 113-179 relating to the deposit required on surveys for oyster beds made by the commissioner of commercial fisheries." [Raises from $10 to $20 the deposit required of applicants for leasing of water bottoms in the state for purposes of oyster or clam culture, such deposits to be credited against cost of survey of bottom applied for.] To Commercial Fisheries and Oyster Industry.

HB 646 - Introduced by Swindell

"To amend G.S. 113-181 relating to rentals to be paid on leased natural oyster beds." [Amends cited section, which sets out schedule of rental charges for water bottom leases for clam or oyster culture, to remove statement that charges set forth therein are in lieu of all other taxes and imposts.] To Commercial Fisheries and Oyster Industry.

HB 649 - Introduced by Whitehurst

"To amend G.S. 112-19, relating to the payment of pensions to certain widows of Confederate soldiers." [Amends cited section to lower from ten to five years the period during which the widow of a Confederate soldier (who has died since 1899) must have lived with such soldier in order to be placed on Class B pension roll.] To Appropriations.

HB 651 - Introduced by Long

"To exempt members of voluntary fire companies from jury duty." [Amends G.S. 9-19 to exempt from service as jurors all volunteer firemen whose names appear on list of active members certified to CSC by chief or secretary of any volunteer fire company. List may be filed by any company at any time subsequent to ratification of this act, and thereafter must be filed annually during January. Members joining company after filing of list may be exempted upon individual certification of chief or secretary that they are members in good standing.] To Judiciary 1.

HB 652 - Introduced by Taylor of Buncombe, Young and Jordan

"To amend G.S. 153-9 so as to authorize counties to levy taxes for certain special purposes relating to the county accountant, the farm demonstration agent and the home demonstration agent, and the veteran's service officer." [As title indicates, authorizes commissioners to levy annually special taxes (amount not specified) for declared special purposes of (1) payment of salary and expenses of county accountant, farm demonstration agent and home demonstration agent, and veteran's service officer; and (2) for payment of other expenses incurred in farm and home demonstrations and in maintaining veteran's service office.] To Finance.

HB 655 - Introduced by Hicks

"To regulate the height of automobile transports." [Rewrites G.S. 20-116(c), which now provides that no vehicle, with or without load, may exceed 12 feet 6 inches in height, to permit motor transports used in conveying automobiles, trucks and other commercial vehicles with a gross weight of 40,000 pounds or less to have a height not exceeding 13 feet 6 inches. Provides that no one, including the State and all subdivisions thereof, is required to construct or reconstruct any underpass, wire, trestle, pole, or other structure to permit passage of such vehicles, and that operator or owner of any such vehicle is liable for damage to any such structure caused by such excess height.] To Roads and Highway Safety.

LOCAL BILLS INTRODUCED -- HOUSE

HB 604 - (Duplin) Introduced by Carr

"To authorize the governing authority of the Town of Calypso to sell the present city hall and the site or lot on which the said city hall is now located." [As title indicates, authorizes governing authority to sell town hall and lot for best price and on best terms obtainable, either at private sale, or at public auction after such time and method of advertising or notice as deemed best, whichever governing authority deems wiser.] To Local Government.

HB 605 - (Scotland) Introduced by Kiser

"To amend Section 2-50 of the General Statutes of North Carolina with reference to unclaimed fees of jurors and witnesses paid to the general fund of Scotland County." [Amends cited section to provide (1) all witness fees remaining in hands of CSC for 12 months or more, as shown by annual county audit, shall be turned into general fund, and (2) county commissioners may pay any claim for such witness fees presented within two years of time funds are received from CSC.] To Local Government.

HB 606 - (Scotland) Introduced by Kiser

"To amend the charter of the City of Laurinburg as to the terms of office of the Laurinburg city council." [Amends Ch. 501, Sec. 1, 1949 Session Laws, which provides for two year terms for five town commissioners, to provide as follows: (1) at regular election in May, 1953, two candidates for council receiving largest number of votes are to serve for four year terms; other three candidates elected are to serve for two year terms; (2) thereafter at each regular municipal election, two candidates receiving largest number of votes are to serve for four years; remaining candidate elected is to serve for two year term; (3) in event of tie vote for mayor or councilman, the two candidates are to cast lots to determine the winner; and (4) terms of office of mayor and councilmen begin on Wednesday after first Monday in May following election.] To Local Government.

HB 607 - (Scotland) Introduced by Kiser

"Authorizing the Laurinburg-Maxton Airport Commission to make loans to the housing authority of the City of Laurinburg." [As title indicates, authorizes commission to make loans to housing authority in amounts and on terms and conditions deemed advisable, subject to approval of governing bodies of Laurinburg and Maxton. Authorizes authority to borrow sums as may be approved, and to issue security instruments on real or personal property owned by it as may be required.] To Local Government.

HB 608 - (Guilford) Introduced by Crissman, Turner, Shreve and Hunt

"To amend the act relating to the schools of the Greensboro city administrative unit and to the governing body thereof as set out in Chapter 385, Session

Laws of 1949, and the amendments thereto." [Rewrites Secs. 9.1 and 9.2 of Art. 9, Ch. 385, 1949 Session Laws (as amended) dealing with sale of property by board of trustees of the Greensboro city administrative unit to clarify language of such sections and to provide for prompt report of every sale of personalty made by an employee under authority of Sec. 9.2(b) to board. Adds Art. 14 to: (1) authorize, but not require, board to waive its governmental immunity for damages caused by negligent operation of a motor vehicle by any officer, agent or employee of board when acting within scope of employment to extent of valid, enforcible, and collectible insurance carried by board; (2) provide such insurance must be issued by company licensed to do business in N. C., and must adequately cover liability described, and that company by issuing such policy waives any defense based on governmental immunity of board; (3) authorize board to pay premiums for such insurance and to include such amounts in annual budget; (4) require, before any action may be brought against board under provisions of article, that claimant file with board written claim stating name and address of claimant, date and place of damage or injury, statement of cause, nature and extent, amount of damages claimed, and that board refuses to pay such claim or has failed to pay it within 60 days of filing; (5) renounce any attempt to waive any applicable statute of limitations; (6) authorize suit against board for any such claim in any court in Greensboro having jurisdiction (including Greensboro division of Guilford County superior court), andprovide that to extent of insurance carried by board, the fact that motor vehicle which caused injury was being operated in discharge of governmental function is no defense; (7) declare that common law or statutory defenses other than those specifically waived are still available to board, and that no board member is liable personally for any tort for which he would not now be personally liable; (8) prohibit plaintiff in any action brought under article, and his counsel and witnesses, from bringing to attention of trial jury in any manner any facts concerning insurance coverage of board and to direct judge to order mistrial if such prohibition is violated; to provide that in event any issue arises regarding insurance coverage of board which should be submitted to a jury, board liability does not attach unless plaintiff waives jury determination on such issue or board requests such jury determination; if plaintiff waives jury determination, and if board does not request jury determination, issue is heard by trial judge; and (9) ratify all payments for laibility insurance for motor vehicles made by board heretofore.] To Counties, Cities and Towns.

HB 612 - (Hoke) Introduced by Greene

"To authorize the Board of County Commissioners of Hoke County to transfer certain funds and to pay the proceeds of delinquent taxes into the general fund of Hoke County." [Authorizes commissioners to pay into general fund "all cash and uncollected taxes to credit of county debt service fund" in excess of amount of principal and interest (to maturity) on outstanding bonds of fund.] To Local Government.

HB 613 - (Cleveland) Introduced by Falls

"To revise and amend the charter of the Town of Lawndale, Cleveland County, North Carolina, as contained in Chapter 105, Private Laws of 1903." [Rewrites entire charter. Grants usual corporate powers, and defines corporate limits of town. Provides for mayor and board of five commissioners to be elected at large for four year terms (provisions included to stagger commissioner terms) beginning on first Monday in June following election; vacancies on board are to be filled by majority vote of board, and board is to be judge of qualifications of board and mayor. Salaries of mayor and board members are to remain as now fixed until changed by ordinance to become effective during term of office following that of board members enacting ordinance. Board is to meet at times prescribed by ordinance or resolution (at least once per month) and when called by mayor or clerk on request of three or more board members. Provides for election of mayor pro tem; permits board to determine rules and order of business; sets out procedure for introduction and passage of ordinances and permits effective date of ordinances to be set therein; provides for authentication of ordinances and for publication or posting of substance within 10 days of final passage. Sets procedure for conducting municipal elections on Tuesday after first Monday in May, 1953, and biennially thereafter and provides that municipal elections law controls matters not covered. Candidates must file statement of candidacy (form of such statement set out in bill) and pay $2 filing fee not less than 15 days before election date, and may withdraw candidacy at any time before final date for filing. Authorizes commissioners by unanimous vote to increase precincts from one authorized in bill. Authorizes appointment of necessary town officers (provides that one person may hold two or more of such positions) who need not be residents at time of appointment. Duties of clerk and tax collector are set forth. Sets out oath to which town officers must subscribe; provides that contracts and franchises entered into by town prior to enactment of this charter are to continue in full force and effect; and permits completion of public improvements for which legislative steps have been taken under laws or charter provisions existing on effective date of this charter.] To Local Government.

HB 614 - (Cleveland) Introduced by Falls

"Providing for a referendum election in the City of Kings Mountain upon the question of adopting a city manager form of government, said election to be held on the date of the May 1953 election for city officials." [Provides for election as title indicates to permit Kings Mountain electorate to accept or reject "Plan D" form of government (G.S. Ch. 160, Art. 22) as modified by bill. Election is to be conducted according to provisions of G.S. Ch. 160. If Plan D form of government is chosen, it is not to affect terms of officials elected in May, 1953; is not to change date of future municipal elections; is not to alter authority of city commissioners to appoint city attorney, city clerk, city treasurer, and city tax collector; and is not to alter right of mayor to vote only in case of tie vote on any question coming before board. If Plan D is adopted, all powers, duties, and functions vested in governing body of Kings Mountain are to be vested in governing body as constituted under Plan D, upon due certification of results of election.] To Local Government.

HB 616 - (Madison) Introduced by Ramsey

"Relating to the salaries, fees and compensations of certain officials of Madison County." [Repeals Ch. 248, 1941 Public-Local Laws, which fixed salary of CSC, and Ch. 447, 1943 Session Laws, fixing salary of register of deeds; fixes salary of both CSC and register at $3600 per year (in lieu of all fees and emoluments, which now are to be paid into general fund). Amends Ch. 100, 1951 Session Laws, to raise salary of tax collector from $2100 to $3000. Amends Ch. 493, 1951 Session Laws, to raise salary of county accountant from $2400 to $3000 per year, and to remove requirement that sinking fund commission approve compensation fixed by county commissioners for clerical assistants of county accountant.] To Salaries and Fees.

HB 624 - (Greene) Introduced by Edwards

"To provide for the transfer of cases from the county court of Greene County to the superior court upon demand of a jury trial." [Directs judge of county court to transfer to superior court any criminal case in which demand is made for jury trial, such cases to be tried upon bill of indictment.] To Judiciary 1.

HB 625 - (Greene) Introduced by Edwards

"To repeal sections 14 and 15 of Chapter 406 of the Public Local Laws of 1915 relating to trial by jury in criminal cases in the county court of Greene County." [Repeals Ch. 435, 1951 Session Laws, directing transfer to superior court of any criminal case in county court in which jury trial is demanded, such case to be tried on warrant. Provides that Secs. 14 and 15 of Ch. 406, 1915 Public-Local Laws, providing jury trials in county court, hereafter apply only to civil cases. Authorizes trial of criminal cases before judge of county court without jury (unless jury trial is demanded), with right of appeal to superior court.] To Judiciary 1.

HB 626 - (Greene) Introduced by Edwards

"To amend Section 1 of Chapter 399 of the Public Local Laws of 1939 relating to the officer who performs the duties of clerk to the board of commissioners of Greene County." [Designates as "clerk of the board of commissioners" the county accountant or any other county officer while acting as such clerk, and ratifies all acts performed by any official while acting in such capacity.] To Judiciary 1.

HB 633 - (Halifax) Introduced by Branch

"Authorizing police officers of the Town of Enfield to pursue beyond the city limits and arrest at any point within Halifax County any person or persons charged with the commission of crime in said town." [As title indicates; pursuit may be with or without process. Effective 30 days after ratification. To Judiciary 2.

HB 634 - (Halifax) Introduced by Branch

"Relating to court costs in criminal cases in the Town of Enfield, in Halifax County." [Sets $2 patrol car fee as part of costs to be assessed on conviction of person arrested by Enfield police officer. If case is transferred to recorder or superior court, fee is certified and sent up as part of costs, and when paid, CSC is to remit amount to town. Effective 30 days after ratification. To Judiciary 2.

HB 636 - (Camden, Currituck, Gates, Pasquotank, and Perquimans) Introduced by Sawyer and others

"Allowing the killing of destructive bear in certain counties without complying with the provisions of G.S. 113-91(e) as to the disposition thereof." [Allows any person, either on the spot or in pursuit, to kill black bear inflicting or attempting to inflict injury to person or property. Bear becomes property of such person and will not be disposed of as required by G.S. 113-91(e) (relating to disposition of game seized in enforcement of game law), but person must notify local wildlife protector before disposing of animal.] To Wildlife Resources.

HB 637 - (Rockingham) Introduced by Powell

"To validate the organization of the Town of Draper in the County of Rockingham and to validate all actions heretofore taken by the governing body and officer of said town." [Validates organization of town and all actions of town commissioners and officers, including authorization of bonds and election held or to be held in connection therewith.] To Judiciary 2.

HB 638 - (Rockingham) Introduced by Powell

"To validate the organization of the Town of Spray in the County of Rockingham and to validate all actions heretofore taken by the governing body and officers of said town." [Validates organization of town and all actions of town commissioners and officers, including authorization of bonds and election held in connection therewith.] To Judiciary 2.

HB 639 - (Northampton) Introduced by Woodard

"To fix the compensation of certain officials in Northampton County." [Effective July 1, 1953, authorizes county commissioners to set annual salaries as follows: (1) CSC, register of deeds, sheriff, and county accountant between $3600 and $4500, (2) full-time deputy sheriff between $2700 and $3600, (3) part-time deputy sheriff between $1200 and $1800, (4) chief clerks to county accountant, CSC, register of deeds, and sheriff between $1500 and $2250. Authorizes county commissioners to allow sheriff and full-time deputy a minimum monthly travel allowance of $50 each. Amends G.S. 152-5 to set Northampton coroner fees at $10 per inquest and for each additional day necessarily engaged in such inquest.] To Salaries and Fees.

HB 640 - (Washington) Introduced by Woolard

"Fixing the discounts allowed for prepayment of ad valorem property taxes in Washington County." [Amends G.S. 105-345 to fix discounts at 2% if tax paid before Sept. 1, and 1% if paid during Sept. of year tax becomes due. Applies to taxes levied for fiscal year 1953-54 and subsequent years.] To Local Government.

HB 641 - (Washington) Introduced by Woolard

"Amending G.S. 115-38 relating to the nomination and appointment of members of county boards of education and fixing the term of office of members of the board of education of Washington County." [Amends cited section to provide that members of board appointed after 1953 are to serve for six year terms.] To Education.

HB 642 - (Washington) Introduced by Woolard

"Repealing Chapter 632, Session Laws of 1949 placing the constable of Lees Mills Township, Washington County, on a salary basis." [As title indicates.] To Salaries and Fees.

HB 644 - (Hyde) Introduced by Swindell

"Relating to the salary of the judge of recorders court of recorders court of Hyde County." [Amends Ch. 134, Sec. 1, 1941 Public Laws, to raise monthly salary of recorder court judge from $20 to $30.] To Salaries and Fees.

HB 647 - (Hyde) Introduced by Swindell

"To amend Chapter 627 of the Public Local Laws of 1925 relating to the state-wide stock law in Hyde County." [Amends Sec. 1 of cited chapter, which sets up procedure for referendum to decide whether Hyde County or sections thereof should be removed from provisions of state-wide stock law, to permit any section of Hyde County which did so exempt itself to again include itself within operation of state-wide law by same procedure set up for original exemption.] To Agriculture.

HB 648 - (Hyde) Introduced by Swindell

"To amend G.S. 153-13 and G.S. 115-46 relating to the compensation of the members of the board of county commissioners and board of education of Hyde County." [Amends G.S. 153-13 to fix compensation of Hyde County commissioners at $12 per day plus mileage in going to and from meetings. Board clerk is to receive same per diem as commissioners. Amends G.S. 115-46 to fix compensation of education board members at $12 per day plus mileage to and from meetings.] To Salaries and Fees.

HB 650 - (Bertie) Introduced by Speight

"To amend Chapter 217 of the Public-Local Laws of 1937 relating to the members of the board of education of Bertie County." [Amends Sec. 2 of cited chapter to provide for nomination of candidates for education board from each of 5 districts in county-wide primary. (Present law provides for district primaries.) Candidate receiving most votes in each district is to be party nominee for that district. Nominees are to be voted on at general election, and nominee in each district with highest vote is a member of county board of education. Amends Sec. 3 to provide that provisions of act requiring each of 5 districts to have a member on education board is not to apply to those appointed to serve on education board by 1953 General Assembly.] To Education.

HB 653 - (Montgomery) Introduced by Allen

"To amend Chapter 384 of the Session Laws of 1951, relating to the fees of the clerk of the superior court of Montgomery County, and to repeal Chapter 206 of the Public-Local Laws of 1935, relating to the issuance of bonds in said county." [Amends Sec. 2 of cited chapter to fix CSC fee for auditing final accounts of administrators and other trustees at 1/10 of 1% of sums over $1000, total not to exceed $50. (Present law fixes audit fee of 3/4 of 1% of sums up to $1000, total not to exceed $50.) Repeals Ch. 206, 1935 Public-Local Laws, which provides that no county bonds are to be issued and/or sold for any purpose unless approved by vote of people at election called by county commissioners.] To Local Government.

HB 654 - (Montgomery) Introduced by Allen
"To amend Chapter 50 of the Private Laws of 1897, relating to the charter of the Town of Star, in Montgomery County." [Amends Sec. 3 of cited chapter to provide for mayor and 5 town commissioners, and to empower commissioners to employ clerk-treasurer and necessary policemen. Amends Sec. 4 of cited chapter to provide for biennial instead of annual town elections.] To Local Government.

HOUSE CALENDAR ACTION

PUBLIC BILLS

SB 96 - Deleting vehicle piston displacement law. Passed second and third readings.
SB 146 - Korean veteran benefits. Passed second and third readings.
SB 176 - Altering motor vehicle numbers. Passed third reading.
SB 211 - Extending civil defense functions. Reported favorably.
SB 249 - Shortening time for insanity divorces. Received from Senate; sent to Judiciary 2.

HB 47 - Requiring turn signals (House committee substitute 3/4). Postponed to 3/10.
HB 99 - Rewording hit and run statute. Clarifying amendment adopted; passed second and third readings.
HB 163 - Two-judge superior court districts, as amended in House 2/20. Postponed to 3/10.
HB 449 - State civil air patrol. Reported favorably as amended; re-referred to Appropriations.
HB 476 - Prohibiting aid to minors buying beer. Reported favorably.
HB 517 - Headlight dimming. Passed second and third readings.
HB 518 - Clear rear light prohibition. Re-referred to Judiciary 2.
HB 519 - Passing on right. Amended to provide that a motor vehicle may be passed on right when driver of vehicle has indicated he is about to turn left, instead of when vehicle "is about to make a left turn;" passed second reading.
HB 520 - Vehicle front red lights. Passed second and third readings.
HB 521 - Easing license requirements for minors. Passed second and third readings.
HB 522 - Permitting driving instruction at night. Passed second and third readings.
HB 557 - JP jurisdiction over driver license violations. Re-referred to Judiciary 2.

LOCAL BILLS

SB 92 - (Robeson) Prohibiting palmistry. Reported favorably.
SB 125 - (Forsyth) Tax payment discounts. Reported favorably.
SB 139 - (Gaston) Superior court concurrent criminal jurisdiction. Reported favorably.
SB 158 - (Cumberland) Extending Hope Mills police jurisdiction. Reported favorably.
SB 165 - (Davidson) Thomasville school property transfer. Reported favorably.
SB 209 - (Sampson) Increasing county commissioners. Received from Senate; sent to Local Government.
SB 213 - (Halifax) Postponing revaluation. Received from Senate; sent to Judiciary 2.

SB 222 - (Cumberland) Tax review completion date. Received from Senate; sent to Local Government.
SB 223 - (Cumberland) Fayetteville chiefs civil service status. Received from Senate; sent to Local Government.
SB 224 - (Cumberland) Regulating taxicabs. Received from Senate; sent to local Government.
SB 225 - (Edgecombe) Sheriff and constables fees. Received from Senate; sent to Judiciary 2.
SB 227 - (Edgecombe) ABC enforcement expenditures. Received from Senate; sent to Judiciary 2.
SB 228 - (Robeson) Maxton officials election. Received from Senate; sent to Local Government.
SB 229 - (Robeson) Lumberton firemen jury exemption. Received from Senate; sent to Local Government.
SB 232 - (Catawba) Tax prepayment discounts. Received from Senate; sent to Counties, Cities and Towns.
SB 233 - (Halifax) Coroners fees. Received from Senate; sent to Judiciary 2.
SB 238 - (Forsyth) Fixing register fees. Received from Senate; sent to Judiciary 1.
SB 239 - (Forsyth) Officials salaries. Received from Senate; sent to Judiciary 1.

HB 172 - (Catawba) Register of deeds pay (Senate Committee substitute 3/4). Received from Senate; Senate committee substitute adopted; placed on calendar.
HB 247 - (Franklin) Recorder court jurisdiction, as amended in Senate 3/4. Received from Senate for concurrence in Senate amendment; concurred.
HB 273 - (Avery and Mitchell) Fox hunting, as amended in Senate 3/4. Received from Senate for concurrence in Senate amendment; concurred.
HB 342 - (Mecklenburg) Sales under power of sale, as amended in Senate 3/4. Received from Senate for concurrence in Senate amendment; concurred.
HB 347 - (Cabarrus) Public drunkenness. Reported favorably.
HB 358 - (Orange) Carrboro commissioners election. Passed second and third readings.
HB 435 - (Richmond) County judge and solicitor pay. Reported favorably.
HB 436 - (Richmond) Permitting American Legion carnivals. Reported unfavorably.
HB 443 - (Edgecombe and Nash) Rocky Mount property sale. Reported favorably.
HB 444 - (Edgecombe and Nash) Rocky Mount court warrants. Reported favorably.
HB 445 - (Nash) Prohibiting palmistry. Reported favorably.
HB 448 - (Guilford) Extending revaluation review date. Reported favorably.
HB 451 - (Guilford) Investing county funds. Reported favorably.
HB 452 - (Guilford) Waiving county governmental immunity. Reported favorably.
HB 465 - (Bertie) Colerain elections. Reported favorably.
HB 466 - (Surry) Assistant coroner. Reported favorably.
HB 473 - (Duplin) Overlapping commissioner terms. Reported favorably.
HB 475 - (Cumberland) Linden commissioners election. Reported favorably.
HB 477 - (Cumberland) Stedman municipal elections. Reported favorably.
HB 492 - (Mecklenburg) Banning concealed weapons carrying. Reported favorably.
HB 497 - (Guilford) Guilford-High Point government building. Reported favorably.
HB 515 - (Cleveland) Prohibiting bay rum sale. Reported favorably.
HB 523 - (Pitt and Lenoir) Extending Grifton limits. Reported favorably.
HB 524 - (Sampson) Creating Roseboro bird sanctuary. Reported favorably.
HB 528 - (Alamance) Burlington property sale. Reported favorably.
HB 529 - (Alamance) Burlington property exchange. Reported favorably.
HB 544 - (Wayne) Appointing county auditor. Reported favorably.
HB 545 - (Wayne) Accountant serving as treasurer. Reported favorably.
HB 546 - (Wayne) Abolishing record examination requirement. Reported favorably.
HB 554 - (Bertie) Agricultural fair appropriation. Reported favorably.
HB 559 - (Alamance) Constable and sheriff fees. Reported favorably.
HB 560 - (Alamance) Mebane election procedure. Reported favorably.

HB 575 - (Beaufort) Washington charter amendment. Reported favorably.
HB 578 - (Onslow) Jacksonville voting wards. Reported favorably.
HB 580 - (Swain) Auditing county books. Reported favorably.
HB 589 - (Guilford) Firefighting obstruction. Reported favorably.
HB 590 - (Guilford) Reassessing in non-quadrennial years. Reported favorably.
HB 591 - (Guilford) Assistant CSCs. Reported favorably.
HB 596 - (Buncombe) Sheriff desk sergeant warrants. Reported favorably.

NOTE: Today's local calendar was postponed to 2/6.

Next session of House: 11:00 a.m., Friday, March 6, 1953.

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INSTITUTE OF GOVERNMENT

LEGISLATIVE SERVICE

GENERAL ASSEMBLY OF NORTH CAROLINA

DAILY BULLETIN

P. O. Box 1658   111 West Morgan St., Raleigh, N. C.   Telephone 3-5515

BULLETIN NO. 44
Friday, March 6, 1953

Session: Senate -- 10:00 a.m.

PUBLIC BILLS INTRODUCED -- SENATE

SB 272 - Introduced by Larkins

"To authorize the Tryon Palace Commission to receive and expend funds for the restoration of Tryon's Palace devised by the will of Maude Moore Latham and any other funds which may be donated or made available for such purpose." [As title indicates. Directs Commission to designate financial officer and treasurer (who must give bond required by Commission at Commission expense and serve without compensation) to handle funds and property and to sell and transfer any securities with approval of finance committee to be appointed by Commission. Financial officer and treasurer must render annual or ad interim reports to finance committee (with copies to Dept. of Conservation and Development and State Treasurer); checks against fund are to be countersigned by Commission chairman or person authorized by Commission. Authorizes Commission to call upon State Treasurer to act as treasurer, and Commission may disburse funds through C & D Department if practical.] To Judiciary 1.

SB 273 - Introduced by Larkins

"To create a commission to be known as a Historic Sites Commission, and to prescribe the duties of same, and to authorize appropriations from the Contingency and Emergency Fund for acquisition of approved historic sites." [Creates 6-member Historic Sites Commission composed of director of Dept. of Archives and History, ex officio (to serve as secretary), and 5 members appointed by Governor to serve without compensation for terms of 1, 2, 3, 4, and 5 years each, successors to be appointed for 5 years. Commission is to determine criteria for approval of historic and archeological properties for state aid and to investigate histories of properties as would justify acquisition by a state, acting by itself or with any county, city or organization interested in preserving such sites. Commission is to make report to be filed with Dept. of Archives and History (copy to Dept. of Conservation and Development). No purchase or contribution therefor is to be made by State until approved by Commission and report is made setting out money necessary to restore property, manner of maintenance, and sources from which funds may be derived for such purposes. No acquisition is to be approved unless Commission finds feasible method of providing funds for restoration and operation of property. When acquisition by State or contribution for acquisition for any county or city is recommended, Governor and Council of State are authorized to make allotment from Contingency and Emergency Fund for such purpose if General Assembly is not in session or allocate reasonable amount (not exceeding 1/20 of purchase price) from such fund to secure option to continue until 60 days after convening of next General Assembly. In acquiring site preference is to be given to project in which state funds are at least equalled by other funds and no property is to be acquired without fee simple title. Sites acquired and administered by State are to be under control of State Parks Division, which may make contracts with any county or city or non-profit organization for administration.] To Appropriations.

SB 274 - Introduced by Williams

"To amend Article 17 of Chapter 28 of the General Statutes, relating to distribution of estates in the case of intestacy." [Adds G.S. 28-149 (13) to permit person entitled to receive benefits from intestate's estate to renounce benefits prior to settlement of estate and receipt of the benefits. Upon such renunciation estate is to be distributed "among the other heirs at law or persons entitled to receive the same, and in the event there are no other children as heirs at law or persons entitled to receive said estate or any part thereof, the said estate shall descend and be distributed to the next of kin."] To Judiciary 1.

SB 278 - Introduced by Crew

"To rewrite subsection (a) of Section 97-24 of the General Statutes." [Rewrites cited subsection to lengthen from one to two years the time after accident within which workmen's compensation claim must be filed with Industrial Commission if it is not to be barred. If Commission finds that injury could not have been discovered within two years, two-year period is to run from date employee knows of the injury. Does not apply to injuries by accident occurring prior to bill's ratification.] To Judiciary 2.

SB 279 - Introduced by Sanford and Bunn

"To amend certain provisions of Chapter 105 of the General Statutes dealing with the listing and assessing of property for ad valorem tax purposes." [Rewrites G.S. 105-278, relating to quadrennial revaluation of all property subject to county taxation, and adds: (1) that any board of county commissioners may, by resolution, postpone quadrennial revaluation of real property for one calendar year at a time; (2) that no revaluation of real property may be made sooner than four years after last revaluation. Rewrites G.S. 105-283 and G.S. 105-284, relating to appointment, term of office, compensation and qualifications of county tax supervisors, and adds: (1) that boards of county commissioners shall appoint tax supervisors annually in 1953 and 1954 on or before first Monday in December, and biennially in 1955 and thereafter on or before first Monday in July; (2) that in lieu of appointing county tax supervisor, duties and responsibilities of that position may be imposed upon certain county officials. Amends G. S. 105-287 to remove property qualification from office of township list taker and assessor. Amends paragraph (4) of G.S. 105-290 to require that subpoenas issued by list takers and assessors be signed by chairman of county board of equalization and served by officer qualified to serve subpoenas. Amends G.S. 105-294, relating to declared policy of State to encourage certain practices of conserving and beautifying real property by not assessing value added by such practices, and to instruct assessors to follow such policy in annual assessment of real estate under provisions of G.S. 105-279. Amends G.S. 105-306, relating to information tax payer must list, by repealing subsection (8), which requires listing all encumbrances on real property listed, and subsection (27), which requires listing all state privilege license taxes and intangible personal property taxes due.] To Judiciary 1.

SB 280 - Introduced by Whitley and others

"To rewrite Article 8, Chapter 160 of the General Statutes, relating to public libraries." [Rewrites cited article to provide: Any county or municipal governing body may establish and support free public library by non-tax revenues or levy of special tax approved by majority of those voting in general election or special election called for that purpose. Where previous library tax has been voted governing body may, (on library trustee's recommendation) submit question of library tax increase or decrease to voters; where no previous library tax has been voted governing body may on own motion, and must upon petition signed by voters equal to 15% of those voting in last gubernatorial election in county or municipality, submit question of library tax levy to voters; and where county contains municipality which has voted and levied library tax or which supports municipal public library, county governing body may submit question of county library tax to county voters (not to be voted on or levied in such municipality). Ballot form is to state minimum and maximum tax, not less than 3¢ nor more than 10¢ per $100 property valuation. Levy, if approved, is discretionary with governing body. Bonds and notes to purchase library land, buildings and equipment may be issued under County and Municipal Finance Act and property taxes may be levied to pay such bonds and notes. Library board of trustees have usual administrative powers and power to appoint chief librarian (certified by N. C. Library Certification Board) and other employees (on chief librarian's recommendation), fix pay of and remove such librarian and employees, and make library facilities available to nonresidents of county or municipality. Library funds, to be paid into (and earmarked for library use) county or municipal treasury, must be paid out on warrants signed by bonded board treasurer and countersigned (when within earmarked funds and appropriations made by local governing body) by county or municipal accountant. In lieu of establishing and supporting such libraries, local governing body may contract with and appropriate money to an organization, county or municipality (governing body operating library may then add 3 trustees, chosen for staggered terms by governing body making such appropriation). Joint libraries may be established by resolution which is to stipulate manner of property distribution in case of dissolution. Participating unit contributions are to be fixed by mutual agreement. Joint funds are to be paid to bonded board treasurer and paid out according to library budget approved by participating units on warrants signed by him. Bill clarifys provisions relating to library ordinances, boards power to take property by gift or devise, and appointment of trustees.] To Education.

SB 281 - Introduced by Whitley and others

"To rewrite G.S. 125-18, G.S. 125-22, G.S. 160-68 and G.S. 160-69 and to redesignate G.S. 160-68 as G.S. 125-27 and G.S. 160-69 as G.S. 125-28, relating to the membership of the North Carolina Library Commission, its annual reports, the library certification board, and temporary certificates for public librarians." [Rewrites G.S. 125-18 to provide that after July 1, 1953, N. C. Library Commission is to consist of 8 members as follows: supt. of public instruction (ex officio), state librarian (ex officio), 2 persons appointed by Governor, and 4 persons appointed by N. C. Library Association. (Present board consists of 5 members: supt. of public instruction, state librarian, 2 persons appointed by library association and one appointed by Governor.) Does not affect members whose terms expire in 1954 and 1955. Governor is to appoint 1 member for 4-year term beginning July 1, 1953 and 1 member for 4-year term beginning July 1, 1955; library association is to appoint 3 members for terms beginning July 1, 1953 (for 4, 3, and 2-year terms) and 1 member for 4-year term beginning July 1, 1954. Successors are to be appointed for 4-year terms. Rewrites G.S. 125-22 to provide for publishing commission's biennial report as other state reports are published and distributing under direction of library commission; deletes provision requiring 500 copies of reports to be published. Rewrites G.S. 160-68 (redesignated as G.S. 125-27) to provide that UNC dean of school of library science (instead of UNC librarian) is to serve as member of library certification board which is to issue librarian certificates to public librarians. Rewrites G.S. 160-69 (redesignated G.S. 125-28) to authorize certification board to issue temporary certificates (valid 1 year) upon evidence that no qualified chief librarian is available and upon written application by library board of trustees.] To Education.

SB 283 - Introduced by Graves and others

"To increase the number of judicial districts and the number of solicitorial districts in the State of North Carolina in order to provide a sufficient number of resident judges to administer justice without undue delay." [Identical with HB 657 digested in House section of today's bulletin.] To Courts and Judicial Districts.

LOCAL BILLS INTRODUCED -- SENATE

SB 275 (Beaufort) - Introduced by Paul

"Relating to the control of hog cholera in Beaufort County, North Carolina." [Makes it misdemeanor (first conviction punishable by fine up to $50 or imprisonment in court's discretion and on second conviction by minimum $200 fine or imprisonment, or both, in court's discretion in county territory north of Pamlico and Tar rivers) to: (1) sell, distribute or use virulent hog cholera virus or similar product capable of producing hog cholera; and (2) sell, purchase or transport for delivery in that territory swine treated with such vaccines unless owner or transporter has in his possession veterinarian's health certificate, approved by State veterinarian, showing that swine are free of contagious disease symptoms or exposure and have not been inoculated with virulent hog cholera virus within 30 days of entry. Hog cholera vaccines approved by U. S. Bureau of Animal Industry which will not spread hog cholera may be used in territory or on swine, not exposed to contagious disease, moved into area. Provisions do not apply to commissioner of agriculture approved research or to swine sent for immediate slaughter to recognized establishments with pens adequate to isolate all swine on premises. Effective May 15, 1953.] To Agriculture.

SB 276 - (Beaufort) - Introduced by Paul

"To fix the compensation of the chairman of the board of education in Beaufort County." [Effective July 1, 1953, fixes chairman's pay at $25 per month in lieu of all other pay provided by law.] To Salaries and Fees.

SB 277 (Beaufort) - Introduced by Paul

"To abolish jury trials in the Aurora and Richland township recorder's court and the Belhaven and Pantego township recorder's court, in Beaufort County." [Amends Ch. 91, and Ch. 98, Public-Local Laws 1913, to delete all references to jury trial in courts cited in title. Provides that no jury trials are to be allowed in those courts but that person convicted may appeal to superior court.] To Courts and Judicial Districts.

SB 282 (Forsyth) - Introduced by Graves

"To amend G. S. 14-399 relating to placing trash, refuse, etc., within one hundred and fifty yards of hard surfaced highway, by making the same applicable to Forsyth County." [Effective April 1, 1953, removes Forsyth from list of counties exempt from provisions of G.S. 14-399 which makes it unlawful (punishable by fine from $10 to $50) to place or leave trash or scrapped car or truck parts which can be seen from highway within 150 yards of hard surfaced highway outside of incorporated town. Provisions apply to municipal corporations but not to domestic trash placed for removal.] To Counties, Cities and Towns.

SB 284 (Scotland) Introduced by Pate

"To amend G.S. 14-335 so as to regulate the punishment for public drunkenness in Scotland County." [Amends G.S. 14-335 to change present public drunkenness penalty of fine up to $50 or imprisonment up to 30 days, so offense is now punishable by fine up to $50 or imprisonment up to 30 days for first offense, fine up to $100 or imprisonment up to 60 days for second offense within 12 months, and for third offense within 12 months punishment in court's discretion.] To Counties, Cities and Towns.

SENATE CALENDAR ACTION

PUBLIC BILLS

SB 109 - Preserving pine trees (Senate committee substitute 3/4). Amended to exempt Sampson and Duplin counties from provisions of bill; passed second and third readings.
SB 130 - Bank incorporation certificates. Passed second and third readings.
SB 137 - Examining adverse parties. Passed second and third readings.
SB 180 - Controlling swine feeding. Reported favorably.
SB 216 - Dental student loan fund. Passed second and third readings.
SB 220 - Leased vehicle licensing procedure. Taken from calendar; re-referred to Public Roads.

SB 242 - Licensing special mobile equipment, as amended in Senate 3/5. Passed third reading.
SB 270 - Amending dentistry laws. Reported favorably.

HB 180 - Plumbing and heating contractor licensing. Passed second reading.
HB 181 - Soil conservation district boundary changes. Reported favorably.
HB 184 - Commitment of mentally ill, as amended in House 2/20. Reported favorably.
HR 205 - (Joint Resolution) Governmental reorganization commission, as amended in House 2/24. Passed second and third readings.
HB 206 - Machinery identification marks, as amended in House 2/20. Reported favorably.
HB 235 - Law books for Industrial Commission. Passed second and third readings.
HB 256 - Petition signatures in special proceedings, as amended in House 2/23. Passed second and third readings.
HB 259 - Education board surplus property sale. Reported favorably.
HB 313 - Cross-indexing criminal cases. Reported favorably.
HB 314 - Cross-indexing old age assistance liens. Reported favorably.
HB 404 - Authorizing deputy CSC summons signing, as amended in House 3/4. Received from House; sent to Judiciary 1.
HB 405 - Marriage license return to register, as amended in House 3/4. Received from House; sent to Judiciary 1.
HB 517 - Headlight dimming. Received from House; sent to Public Roads.
HB 520 - Vehicle front red lights. Received from House; sent to Public Roads.
HB 521 - Easing license requirements for minors. Received from House; sent to Public Roads.
HB 522 - Permitting driving instruction at night. Received from House; sent to Public Roads.
HB 530 - Supreme Court reports to Utilities Commission. Reported favorably.

LOCAL BILLS

SB 149 - (McDowell) Delinquent tax transfer. Reported favorably.
SB 150 - (McDowell) Marion and Old Fort private land sales. Reported favorably.
SB 152 - (McDowell) Transferring historical records. Reported favorably.
SB 240 - (Cumberland) Adjusting unpaid taxes. Reported favorably.
SB 244 - (Polk and Stokes) Walnut Cove-Columbus interest refunds. Reported favorably.
SB 250 - (Yadkin) Increasing officials salaries. Amended; passed second and third readings.
SB 252 - (Yadkin) Superior court terms. Reported favorably.
SB 268 - (Madison) Hot Springs special tax. Reported favorably.

HB 55 - (Orange) Carrboro mayor's court jury trials, as amended in House 2/25. Reported favorably.
HB 124 - (Columbus) Tabor City mayor court costs. Passed second and third readings.
HB 130 - (Henderson) Officials salaries. Amended to authorize county commissioners to increase salaries of sheriff and deputies up to 15% of their present salaries, effective July 1, 1953; passed second and third readings.
HB 213 - (Craven) Officials salaries and expenses. Passed second and third readings.
HB 221 - (Cumberland) Prohibiting deer hunting in certain townships, as amended in House 2/20. Passed second and third readings.
HB 291 - (Halifax) Validating JP acts. Reported favorably.
HB 359 - (Northampton) Volunteer firemen jury exemption. Reported favorably.
HB 370 - (Wake) Redefining Garner limits. Passed third reading.
HB 379 - (Rowan) Fee for serving JP process. Passed second and third readings.
HB 382 - (Madison) Register fees. Passed second and third readings.
HB 383 - (Madison) CSC fees. Passed second and third readings.
HB 386 - (Wilkes) Volunteer firemen jury exemption. Reported favorably.

HB 406 - (Rowan) Superior court summons execution fees, as amended in House 2/27. Passed second and third readings.
HB 407 - (Scotland) Delinquent taxes to general fund. Reported favorably.
HB 421 - (Duplin) Volunteer firemen jury exemption. Reported favorably.
HB 461 - (Rutherford) Rutherfordton recorder court challenges. Reported favorably.
HB 483 - (Vance) CSC advance fee collection. Reported favorably.
HB 555 - (Bertie) Validating tax levies and sales. Reported favorably.

BILLS RATIFIED

SB 84 - Assistance checks of dead recipients, as amended in House 3/4.
SB 96 - Deleting vehicle piston displacement law.
SB 142 - Authorizing optometry certificates revocation, as amended in Senate 2/27.
SB 146 - Korean veteran benefits.
SB 157 - Court term for trying issues joined.
SB 170 - Reorganizing State Ports Authority.
SB 172 - Vehicle license plates draft defaults.
SB 176 - Altering motor vehicle numbers.
SB 195 - (Wake) Raleigh property exchanges.
SB 196 - (Wake) Raleigh zoning hearings.
SB 205 - (Gates) Validating conveyances.

HB 29 - (Rockingham) Fox hunting.
HB 38 - (Rowan) Fox hunting.
HB 113 - Creating future interests in personalty.
HB 173 - (Yadkin) Fox hunting.
HB 185 - Road construction damage suit limitation, as amended in House 2/20.
HB 192 - (Tyrrell) Fox hunting.
HB 234 - (Iredell) Mooresville recorder residence.
HB 242 - (Henderson) Drawing jurors.
HB 247 - (Franklin) Recorder court jurisdiction, as amended in Senate 3/4.
HB 273 - (Avery and Mitchell) Fox hunting, as amended in Senate 3/4.
HB 285 - (Bertie) Bear hunting, as amended in House 2/20.
HB 316 - (Dare) Kill Devil Hills incorporation.
HB 318 - (Hertford) Deputy sheriffs.
HB 322 - (Rockingham) Reidsville court assistants.
HB 339 - (Anson) Reward for capturing whiskey stills.
HB 342 - (Mecklenburg) Sales under power of sale, as amended in Senate 3/4.
HB 345 - (Cabarrus) Disorderly conduct.
HB 350 - (Catawba) Newton fire truck sale.
HB 358 - (Orange) Carrboro commissioners election.
HB 360 - (Robeson) Validating Fairmont sale.
HB 361 - (Robeson) Extending Fairmont limits.
HB 371 - (Wake) Validating Garner officials acts.
HB 380 - Non-liability for record distruction.
HB 397 - (Person) Prohibiting taxi cab fare non-payment.
HB 408 - (Scotland) Ratifying Laurinburg obligation issuance.
HB 409 - (Scotland) Repealing parking meter authority.
HB 422 - (Duplin) Wallace city hall sale.

Next session of Senate: For consideration of local bills only, 9:30 a.m., Saturday, March 7, 1953

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BULLETIN NO. 44
Friday, March 6, 1953

Session: House -- 11:00 a.m.

PUBLIC BILLS INTRODUCED -- HOUSE

HB 657 - Introduced by Womble of Forsyth and others

"To increase the number of judicial districts and the number of solicitorial districts in the State of North Carolina in order to provide a sufficient number of resident judges to administer justice without undue delay." [Effective July 1, 1953. Rewrites G.S. 7-40 to divide state into 29 (instead of 21) judicial districts as follows. First: Currituck, Camden, Chowan, Dare, Gates, Pasquotank, Perquimans and Tyrrell; Second: Edgecombe, Nash and Wilson; Third: Bertie, Halifax, Hertford and Northampton; Fourth: Harnett, Johnston and Lee; Fifth: Greene, Pitt and Wayne; Sixth: Duplin, Lenoir and Sampson; Seventh: Wake; Eighth: New Hanover and Pender; Ninth: Cumberland and Hoke; Tenth: Alamance, Orange, Chatham and Caswell; Eleventh: Durham; Twelfth: Franklin, Granville, Person, Vance and Warren; Thirteenth: Beaufort, Hyde, Martin and Washington; Fourteenth: Carteret, Craven, Jones, Onslow and Pamlico; Fifteenth: Bladen, Brunswick and Columbus; Sixteenth: Scotland and Robeson; Seventeenth: Forsyth; Eighteenth: Guilford; Nineteenth: Anson, Moore, Richmond, Stanly and Union; Twentieth: Mecklenburg; Twenty-first: Cabarrus, Montgomery, Randolph and Rowan; Twenty-second: Burke, Caldwell and Catawba; Twenty-third: Avery, Watauga, Wilkes and Yadkin; Twenty-fourth: Henderson, McDowell, Polk, Rutherford and Transylvania; Twenty-fifth: Buncombe, Madison, Mitchell and Yancey; Twenty-sixth: Cherokee, Clay, Graham, Haywood, Jackson, Macon and Swain; Twenty-seventh: Alleghany, Ashe, Rockingham, Stokes and Surry; Twenty-eighth: Gaston, Cleveland and Lincoln; Twenty-ninth: Alexander, Davie, Davidson and Iredell. The first 16 districts comprise the Eastern Division, remaining 13 comprise Western Division. Each district is to have 1 judge, except the 18th, 20th and 25th where office of additional judge is created (giving them 2 judges each). Present resident judges of 12th, 14th, and 19th districts will be designated resident judge No. 1 of new 18th, 20th, and 25th respectively. Additional judges in such districts, designated resident judge No. 2, are to have 8-year terms of office beginning Jan. 1, 1953; initial judges to be appointed by Governor (to take office July 1, 1953) until successors can be chosen in 1954 general election to fill unexpired term; thereafter successors chosen as other resident judges. Governor also appoints resident judge for new 11th, 12th, 13th, 14th, 15th, 16th, 28th, and 29th districts, terms to begin Jan. 1, 1953. Present judges are made resident judges of newly designated districts in which their own counties fall. When 2 judges are in same district they have equal jurisdiction, authority and status; but duties granted to resident judge by constitution (including appointment to and removal from office) not involving exercise of judicial power and not related to case or controversy or judicial proceeding, will be exercised by one senior in point of continuous service, or if service is same, senior in age. Amends G.S. 7-43 to establish 29 solicitorial districts (identical with judicial), one solicitor to be elected for each district for 4-year term. Solicitors for new 9th, 10th, 12th, 13th, 14th, 15th, 20th, and 29th districts will be appointed by Governor for terms beginning July 1, 1953, with successors to be chosen in 1954 general election to serve 4-year term starting Jan. 1, 1955. Present solicitors are to serve in newly designated districts in which their own counties fall. Amends G.S. 7-46, which provides for rotation of judges within divisions, to adapt system to new districting. When judge reaches 2-judge district he is to preside for 12 months rather than 6 as in case of 1 judge districts (and as under present system). Authorizes Chief Jusitce (1) to designate special, emergency or resident judges to hold additional terms and (2) to change regular assignments when necessary. Repeals G.S. 7-68 and 7-69.] To Judiciary 1.

HB 658 - Introduced by Womble of Forsyth and others

"To amend Article III, Section 6, of the Constitution, so as to authorize the General Assembly to establish a Board of Paroles with complete authority to grant, revoke and terminate paroles." [As title indicates. Amendment is to be submitted at next general election. Governor's parole power continues until July 1, 1955, and his power of pardon, reprieve, and commutation are not affected.] To Constitutional Amendments.

HB 659 - Introduced by Womble of Forsyth

"To amend Chapter 58, Subchapter VI, Articles 26 and 27 of the General Statutes of North Carolina relating to accident and health insurance." [Rewrites G.S. 58-250 to expand and change specifications for forms of accident and health insurance policies, including provisions (1) that policy may insure eligible family members under 19 and other persons dependent on adult policyholder and (2) that commissioner of insurance may require policies issued in state for non-residents and not subject to approval in state of non-resident to meet standards of this Act. Rewrites G.S. 58-251 as G.S. 58-251.1 to expand and make numerous changes in standard provisions for accident and health policies; policies must contain provisions set out in bill (or substantial equivalent approved by commissioner) which include, among other changes, provisions in substance as follows: (1) Limit on certain defenses. No misstatements (unless fraudulent) made in application may be used to void policy or deny claim for loss or disability commencing after expiration of 3 years from issuance. (Certain policies set out in bill which insured has right to continue in force may contain provisions to make policies incontestible as to statements in application after policy is in force for 3 years.) No claim for loss or disability commencing after 3 years from issuance is to be denied on ground that disease or condition existed prior to effective date of policy. (2) Grace period. Period (not less than 7 days for weekly premium policies, 10 days for monthly premium policies, and 31 days for all other policies) will be granted for payment of premiums falling due during which time policy continues in force, subject to right of insurer to cancel or give 5-days notice of refusal to renew if provided in policy. (3) Reinstatement. If insurer requires application for reinstatement and issues conditional receipt, policy is reinstated upon approval of application, or without approval, on 45th day following date of conditional receipt, unless previous notice of disapproval is given. (4) Notice of claim. Insured with policy providing for loss-of-time benefits, payable for at least 2 years, must once every 6 months give notice of continuance of any disability except in event of legal incapacity. Delay in notice does not impair indemnity accrued during period of 6 months preceding date notice is given. (5) Proof of loss. Failure to furnish proof when not reasonably possible within time required does not invalidate claim if proof is furnished as soon as reasonably possible and not later than 1 year (in absence of legal incapacity). (6) Time of payment claim. Accrued indemnities for loss for which policy provides periodic payment will be paid for period (to be fixed) not less frequently than monthly. (7) Payment of claim. Payments (to be fixed up to $1000) made by insurer to relatives of insured (if indemnity is payable to estate or if insured is minor) discharges insurer as to amount paid. (8) Legal action. No action shall be brought to recover on policy unless brought within 3 years from expiration of time within which proof of loss is required. Repeals G.S. 58-253 and incorporates optional standard provisions as part of G.S. 58-251.1. Optional provisions, if used, must be written as provided in bill (or as substantial equivalent approved by commissioner) and include provisions for (1) adjustment of premium rates and insurer liability when insured changes occupation, (2) payment of indemnities which premiums would have purchased at correct age if age of insured is misstated, (3) proportionate insurer liability in event insured has other valid coverages (as may be defined in policy) with other insurers, (4) cancellation of policy by insurer at any time by written notice to insured stating when (not less than 5 days thereafter) cancellation is to be effective, (5) conforming policy with statutes of state of insured and (6) making insurer not liable for losses caused by insured's attempt to commit a felony or being engaged in illegal occupation. Provides for modifying standard provisions which are inapplicable to any particular form of policy. Any policy of domestic insurer for delivery in another state may contain any provision permitted or required by other state; policy of foreign insurer for delivery in N.C. may contain provision not less favorable to insured than subchapter and as required by foreign state. Rewrites G.S. 58-254.2 to provide that industrial sick benefit insurance must contain provisions of G.S. 58-251.1 and to delete requirement for provision permitting insurer to cancel policy relating to sickness and accident coverage only. Amends G.S. 58-254.3(1)(f), which sets out one definition for blanket accident and blanket health policies, to increase (in defining blanket policies issued to head of family) members of family covered by adding all children (rather than those under 18) and persons chiefly dependent on family head for support. Amends G.S. 58-254.4(2), which sets out requirements for group health, accident, and health and accident policies, to delete requirement that such policies must cover at least 25 employees or agents. Amends G.S. 58-254.4(3), which defines "employee" and "employer" for purposes of accident and health insurance regulation, to include within the term "employer" the State of N.C., any county in State, and any subdivision of the State or any county therein. Rewrites G.S. 58-257 (alteration of application) to provide that insured is not to be bound by any statement made in application for policy unless copy is attached or endorsed on policy when issued. Upon reinstatement or renewal insurer must mail copy of application within 15 days if requested by insured. Falsity of statement in application does not bar recovery unless it materially affects acceptance of risk by insurer. Rewrites G.S. 58-258 to provide that no policy provision not subject to G.S. 58-251.1 is to make policy less favorable to insured than provisions which are subject to subchapter. Adds new G.S. 58-259.1 to provide that if insurer accepts premiums for period after age limit or terminal date fixed in policy, coverage continues subject to cancellation or until end of period for which premium is accepted. Effective Jan. 1, 1954. Policies which could have been issued prior to effective date may be issued during 3 years thereafter without being subject to G.S. 58-250, 58-251.1 and 58-258. Repeals G.S. 58-252, 58-254, 58-255 and 58-259.] To Insurance.

HB 666 - Introduced by Regan and White of Lenoir

"To amend G.S. 15-222 relating to appeals and the giving of bail." [Adds proviso to cited section (which permits superme court review by writ of certiorari of judgments on petitions from prisoners asserting that constitutional rights were denied) to allow petitioner to appeal such judgments to Supreme Court and to require that such petitioners be admitted to bail pending appeal except in capital cases or where petitioner is serving life sentence.] To Judiciary 2.

HB 673 - Introduced by Long

"To validate certain instruments registered prior to January 1, 1934 as though such instruments had been in all respects properly acknowledged, proved, and recorded." [Validates instruments required or authorized by law to be registered which show grantors' signatures and which were probated by CSC and registered prior to Jan. 1, 1934.] To Judiciary 1.

HB 676 - Introduced by Sanders and others

"To revise the laws of North Carolina with respect to postmortem medicolegal examination." [Adds Article 2 to G.S. Ch. 152 to create a seven-member Commission on Postmortem Medicolegal Examinations consisting of the attorney general (or member of staff appointed by him), pathology department heads (or their representatives) from UNC, Duke, and Wake Forest (Bowman Gray) medical schools, and three members appointed by Governor (one of whom must be member of State Board of Health, and one a superior court solicitor) to serve for four-year terms (first three appointed are to serve for 4, 3, and 2-year terms in order to stagger terms of members appointed thereafter). Commission is to elect own chairman, and hold regular meetings as it determines (special meetings may be called upon reasonable notice signed by three members), and is given power to (1) make and repeal rules and regulations, (2) accept contributions, (3) authorize cooperation between state medical examiner and educational institutions and law enforcement agencies of state to further medicolegal training, (4) establish and maintain under state medical examiner central office and laboratory, and (5) appoint full-time state medical examiner to serve as executive officer (but not as member) of Commission at salary fixed by Governor and approved by Advisory Budget Commission. Authorizes state medical examiner to employ, with Commission approval, assistance needed and to fix compensation therefor, subject to personnel regulations. Commission members, other than those receiving salaries from State, are to receive $10 per day for each day devoted to duties, and members and employees are to receive regular state mileage allowance. $20,000 is appropriated for use of Commission during each year of biennium following effective date, and all other funds and fees received are to be deposited with State Treasurer in separate account for use of Commission. Requires state medical examiner to take oath of office and post $5000 bond. Authorizes Commission to divide state into districts and authorizes examiner to appoint district pathologists (may hold office of coroner) to serve at pleasure of Commission. District pathologists who are coroners are not to be considered as holding double office under Art. 14, Sec. 7 of N. C. Constitution. Directs district pathologists, with aid and guidance as necessary from examiner, to perform complete autopsy on bodies referred to him; to make pathological studies of anatomical materials submitted to him; and to transmit copies of autopsy and study reports to referring examiner, superior court solicitor, coroner, or other referring person. District pathologists are to receive for each autopsy performed a fee fixed in each case by Commission and paid by county of legal residence of deceased, or if such county is unknown or not in N.C., by county in which remains were found. Fees for anatomical studies, fixed in each case by Commission, are to be paid by county in which remains were found. State medical examiner must appoint, subject to Commission approval and to serve at Commission's pleasure, a county medical examiner for each county (county examiner may appoint one or more assistants). Requires immediate notification of county medical examiner and coroner of every death apparently criminally caused, apparently by suicide, suddenly when person apparently in good health, when unattended by physician, while inmate of penal or correctional institution, or under suspicious circumstances, and of each discovery of anatomical materials suspected of being human remains, and forbids moving of body or anatomical materials until authorized by county medical examiner. Directs county examiner to make physical and medical examination of body or anatomical materials found, to make inquiries regarding cause of death, to reduce findings to writing, and to make a full report to coroner, superior court solicitor, and state medical examiner, in manner prescribed by Commission. Fee for such examination fixed by Commission is to be paid by county by which he was appointed. If county medical examiner thinks it advisable, or if requested by district superior court judge or solicitor, autopsy or pathological study must be made by state medical examiner or district pathologist. In case of sudden or unexplained, or suspicious, or violent death, where body is buried without county medical examiner investigation, or in any case of cremation without compliance with this Act, county medical examiner must notify superior court solicitor, who notifies resident judge, and judge may order body or remains exhumed and examination or autopsy performed. Facts disclosed upon examination are to be given to judge for action as he deems proper. Copy of examination or autopsy report must be filed with state medical examiner and with solicitor. Designates records and reports of investigations and pathological studies as public records, and provides that copies of such records are to be received in any court or other proceeding for any purpose for which original would be received. Provides for disposition of bodies after examination, and for payment of expenses of disposition. Prohibits embalming of any body which law requires county examiner to view without written permission of county examiner, and makes unlawful the issuing of burial permit or burying of a body without written permission of county examiner when any fact is known by embalmer, undertaker, or person issuing burial permit, which should arouse suspicion of crime or violence in connection with death. Prohibits cremation or issuing of permit therefor until county examiner certifies in writing that no further examination of body is necessary. Violation of embalming, cremating, and burial provisions constitutes a misdemeanor punishable by fine of $100 to $500. Coroner's inquests are not precluded by bill, but primary control of remains is vested in state medical examiner. Rewrites G.S. 152-7, paragraphs 6 and 7, to require coroner to notify superior court solicitor and county medical examiner immediately upon receipt of information of death within his county calling for investigation, and to make such examination as solicitor may direct; and to direct coroner, if inquest or preliminary hearing is required, to arrange for examination of all witnesses, including those offered by state or county medical examiner. Effective Jan. 1, 1954.] To Judiciary 1.

HB 682 - Introduced by Rodman and others

"To amend the Constitution so as to make the rotation of judges a matter of legislative rather than constitutional policy." [Rewrites Art. IV, Sec. 11 of N.C. Constitution to delete requirement that resident superior court judges must preside in courts of different districts of a division successively, and may not hold all courts in same district oftener than once in 4 years. Adds that resident judge is to preside over courts for district for which elected unless General Assembly provides otherwise. Submits amendment to people at 1954 general election.] To Constitutional Amendments.

HB 683 - Introduced by Rodman

"To amend Chapter 96, General Statutes of North Carolina, 1943, as amended, known as the Employment Security Law, so as to provide for a refund of certain taxes collected under the provisions of Chapter 531 of Session Laws of North Carolina, 1945." [Permits any employer or employing unit erroneously determined to be an employer under Ch. 531, 1945 Session Laws (which provides for payments by contractors and subcontractors) who has paid contributions or interest as the result of such erroneous determination, to apply within 6 months of ratification of this act for refund of erroneous payments (without interest). Directs Employment Security Commission, upon receipt of such application, to redetermine status upon basis of information furnished and to refund payments collected erroneously. Redetermination ruling becomes final unless, within ten days of mailing notice of refusal of application by registered mail to last known address of applicant, a written protest is filed by applicant stating grounds and particulars in which it is claimed Commission erred. Directs Commission, upon receipt of protest, to order hearing under 96-4(m) (which provides for hearings to determine rights, status and liabilities of any "employing unit" or "employer"). Permits applicant, if Commission fails to act within 90 days of filing of application, to institute suit in superior court in county where he resides or conducts his principal place of business for recovery of contributions and interest paid, but such suit must be commenced within one year of expiration of 90 day period. Any refunds made are to be charged against account of employer or successor in interest to whom his account may have been transferred. Does not apply to any employer or employing unit whose status has been adjudicated in courts of N.C.] To Employment Security.

LOCAL BILLS INTRODUCED --HOUSE

HB 656 - (Pender) Introduced by Murphy

"To amend G.S. 153-180 relating to jailer's fees in Pender County." [Amends cited section to authorize county commissioners to fix jailer's fees at up to $1 per day per prisoner.] To Salaries and Fees.

HB 660 - (Martin) Introduced by Corey

"To amend G.S. 113-111 relating to the closed season for hunting foxes in certain counties." [Makes cited section, which allows fox hunting at any time without closed season, applicable to Martin County.] To Wildlife Resources.

HB 661 - (Martin) Introduced by Corey

"To permit the hunting of bears in Martin County under specified conditions." [Allows hunting and killing bears which are destroying crops, livestock, or other valuable property. Bear so taken belongs to taker, provided local game protector is notified.] To Wildlife Resources.

HB 662 - (Robeson) Introduced by Floyd and Regan

"To prohibit the hunting of deer in Robeson County until January 1, 1957." [As title indicates; after Jan. 1, 1957 deer may be hunted and taken in county only as permitted by state game laws. Makes violation misdemeanor, punishable in discretion of court.] To Wildlife Resources.

HB 663 - (Tyrrell) Introduced by Combs

"To reduce the bond required by sheriff of Tyrrell County." [Effective July 1, 1953, authorizes county commissioners to reduce sheriff's bond from present amount ($19,000) to $13,000, as follows: process bond $1000, state bond $2000, collection bond $10,000. Authorizes commissioners to pay bond premiums.] To Salaries and Fees.

HB 664 - (Bertie) Introduced by Speight

"To validate tax levies and tax sales of the Town of Aulander." [Validates "all acts and things done" by town commissioners in listing property and levying taxes through 1952, "all acts and things done" by commissioners relating to advertisement and sale of land for failure to pay taxes for years 1950 and 1951, and all tax sales certificates issued for 1950 and 1951.] To Judiciary 2.

HB 665 - (Bertie) Introduced by Speight

"Regulating jail fees in the town of Aulander." [Authorizes town commissioners to fix imprisonment fee, release fee, and daily feeding fee, within maximums of $1, $1, and $1.50 respectively. All sums collected are to be paid into general fund, and are to be collected as part of court costs in all cases in any court in Bertie County in which persons are committed to Aulander jail. Authorizes commissioners to enter agreements with other cities, towns or courts for holding and lodging of prisoners, and to collect therefore fees authorized herein.] To Salaries and Fees.

HB 667 - (Lenoir) Introduced by White

"Amending G.S. 162-6 by fixing the fees which the sheriff and other lawful officers of Lenoir County may collect." [As title indicates, sets out detailed schedule of fees.] To Salaries and Fees.

HB 668 - (Lenoir) Introduced by White

"Regulating the fees to be charged by justices of the peace in Lenoir County." [As title indicates, sets out detailed schedule of fees.] To Salaries and Fees.

HB 669 - (Pitt) Introduced by Kilpatrick

"Authorizing the Board of Commissioners of the Town of Ayden to donate non-tax funds for library and recreational purposes." [Authorizes commissioners to appropriate annually, from non-tax revenues, up to $2000 for construction, maintenance, or operation of town library, and up to $500 for recreational purposes.] To Judiciary 2.

HB 670 - (Pitt) Introduced by Kilpatrick

"To amend G.S. 20-130.1 so as to authorize volunteer firemen in Pitt County to install a red light on their privately owned automobiles, which light is to be used only in the performance of their official duties." [As title indicates, permits installment of red light approved by local police authorities.] To Judiciary 2.

HB 671 - (Mitchell) Introduced by McKinney

"To authorize the board of county commissioners of Mitchell County to transfer the volumes of colonial records, state records and roster of North Carolina regiments to a public library in Mitchell County." [As title indicates; commissioners to select library in county where records are to be cared for and kept for public inspection.] To Library.

HB 672 - (Pamlico) Introduced by Collier

"To amend G.S. 105-422 relating to the statute of limitations on tax liens as applied to Pamlico County." [Amends G.S. 105-422, which prevents cities and counties from collecting taxes and enforcing tax liens (except for street or sidewalk improvements) unless done within 10 years, so as to remove Pamlico, as of March 1, 1955, from list of exempt counties (thus making Pamlico subject to statute of limitations).] To Judiciary 2.

HB 674 - (Burke) Introduced by Vernon

"To permit the Town of Morganton and its employees to withdraw from the Local Governmental Employees' Retirement System." [Notwithstanding provisions of G.S. Ch. 128, Art. 3, directs trustees of the retirement system to allow town and its employees to withdraw from system within 90 days of request should town in its discretion make such request. Upon withdrawalthe trustees must pay to town employees heretofore covered all money deducted less reasonable charge for handling money and must pay to town money contributed less reasonable charge for administering fund. Withdrawal would not apply to employees already drawing retirement benefits and sufficient money (actuarily determined) shall be retained by trustees to finance these benefits. Town policemen to be considered separate category and may be omitted from **withdrawal request**, but if at later date town desires to withdraw policemen also, it may have policemen contributions returned in same manner.] To Local Government.

HB 675 - (Pitt) Introduced by Worthington

"Amending the chapter of the City of Greenville in Pitt County, North Carolina, by annexing to said corporate limits certain territory adjacent to and now outside said corporate limits, revising and defining the corporate limits of the city to include the annexed area." [Amends Ch. 115, Private Laws of 1899, as amended, to extend town limits to include territory annexed by aldermen under Ch. 725, Session Laws of 1947, and included in description contained in Act. Effective Jan. 1, 1954, annexes territory not now in corporate limits but included in territory described in bill, for ad valorem tax purposes, and property owners within such area must list property for 1954 taxes to town. Sets out town limits by metes and bounds.] To Judiciary 2.

HB 677 - (Mecklenburg) Introduced by O'Herron, Gillette, Goodman, Hicks

"To clarify the law relating to grand juries in Mecklenburg County." [Confirms Ch. 18, 1947 Session Laws, relating to drawing and term of grand jurors in county, as law applicable to county. Strikes Mecklenburg from list of counties to which G.S. 9-25 applies (section deals with drawing and term of grand jurors).] To Judiciary 1.

HB 678 - (Yancey) Introduced by Atkins

"To fix the salary of the chairman and members of the board of commissioners of Yancey County." [Retroactive to March 1, 1953, fixes salary of chairman and commissioners at $75 per month in lieu of all other compensation for their services.] To Salaries and Fees.

HB 679 - (Onslow) Introduced by Venters

"To authorize the board of county commissioners of Onslow County to defer quadrennial revaluation and reassessment of real property." [As title indicates, authorizes deferment until 1954 or 1955.] To Judiciary 2.

HB 680 - (Onslow) Introduced by Venters

"To validate action of the county commissioners of Onslow County in fixing the salaries of certain appointive and elective officials and their assistants in Onslow County." [Validates any and all actiona taken by board in fixing such salaries.] To Judiciary 2.

HB 681 - (Onslow) Introduced by Venters
"To have submitted to the electors of the Town of Jacksonville the question of whether or not Plan D form of municipal government, with certain modifications, shall be adopted." [Directs voting for four councilmen at next primary and general elections to be by ward, and voting for mayor in both primary and general election to be at large. Directs submission to voters (in manner set forth in G.S. Ch. 160, Article 21, Part 2) at next municipal primary the question of whether a Plan D form of municipal government (as defined in G.S. Ch. 160, Art. 22, Part 4) shall be adopted with following modifications: (1) number of councilmen and manner of nomination and election of mayor and councilmen remains as defined in first section of this act; (2) primary and general election for mayor and councilmen are to be held at time and places and under regulations and laws in effect before passage of this act; and (3) tax collector and treasurer shall be paid salary of $5000 per year. Mayor and council provided for herein are to constitute governing body of town regardless of whether or not the Plan D form of municipal government is adopted.] To Judiciary 1.

HOUSE CALENDAR ACTION

PUBLIC BILLS

SB 143 - Special trout licenses. Received from Senate; sent to Wildlife Resources.
SB 211 - Extending civil defense functions. Re-referred to Appropriations.

HB 62 - Securing tobacco hogsheads (House committee substitute 2/11, as amended in Senate 3/5). Received from Senate for concurrence in Senate amendment; concurred.
HB 476 - Prohibiting aid to minors buying beer. Re-referred to Judiciary 2.
HB 519 - Passing on right, as amended in House 3/5. Reconsidered vote by which bill passed second reading; re-referred to Roads and Highway Safety.

LOCAL BILLS

SB 92 - (Robeson) Prohibiting palmistry. Passed second and third readings.
SB 95 - (Union) Adopting state rabies law. Reported favorably.
SB 120 - (Lee) Approving education board contracts. Passed second and third readings.
SB 125 - (Forsyth) Tax payment discounts. Passed second and third readings.
SB 127 - (Bladen) Increasing Bladenboro commissioners. Passed second and third readings.
SB 139 - (Gaston) Superior court concurrent criminal jurisdiction. Passed second and third readings.
SB 148 - (McDowell) County court concurrent jurisdiction, as amended in Senate 2/27. Passed second and third readings.
SB 152 - (McDowell) Transferring historical records. Passed second and third readings.
SB 155 - (Gaston) School election registration. Passed second and third readings.
SB 158 - (Cumberland) Extending Hope Mills police jurisdiction. Passed second and third readings.
SB 165 - (Davidson) Thomasville school property transfer. Passed second and third readings.
SB 167 - (Franklin) Louisburg street conveyance. Passed second and third readings.
SB 169 - (Durham) Renaming Durham tax collector. Passed second and third readings.
SB 178 - (Alexander, Burke, Caldwell, Catawba) Prohibiting disposals in Hickory Lake, as amended in Senate 3/4. Received from Senate; sent to Propositions and Grievances.
SB 203 - (Sampson) Volunteer firemen jury exemption. Passed second and third readings.
SB 234 - (Halifax) ABC board reorganization, as amended in Senate 3/4. Received from Senate; sent to Counties, Cities and Towns.

SB 241 - (Cumberland) Fayetteville charter election, as amended in Senate 3/4. Received from Senate; sent to Local Government.

HB 172 - (Catawba) Register of deeds pay (Senate committee substitute 3/4). Passed second and third readings.

HB 209 - (Columbus) Repealing 1951 recorder court law. Passed second and third readings.

HB 224 - (Wake) Repealing Sunday auto race ban. Reported unfavorably.

HB 258 - (Johnston) Firemen jury duty exemption. Passed second and third readings.

HB 305 - (New Hanover) Private sale of Wilmington property. Passed second and third readings.

HB 315 - (Columbus) Sheriff and constable fees (House committee substitute 3/4). Passed second and third readings.

HB 323 - (Rockingham) School unit property disposal. Passed second and third readings.

HB 324 - (Granville) Oxford police jurisdiction extension. Passed second and third readings.

HB 341 - (Mecklenburg) Requiring signature for CSC acceptance. Amended to add Buncombe, Catawba, Lenoir, Perquimans and Rowan to counties to which bill applies; passed second reading; placed on calendar for 3/9.

HB 347 - (Cabarrus) Public drunkenness. Passed second and third readings.

HB 351 - (Orange) Officials fees. Passed second and third readings.

HB 352 - (Orange) Assistant coroner. Passed second and third readings.

HB 353 - (Orange) JP fees. Passed second and third readings.

HB 354 - (Orange) Officials salaries. Passed second and third readings.

HB 355 - (Orange) Officials per diem. Passed second and third readings.

HB 356 - (Orange) County commissioners election. Passed second and third readings.

HB 357 - (Orange) Dog warden. Reported favorably as amended.

HB 373 - (Henderson) Hendersonville hospital property transfer. Passed second and third readings.

HB 378 - (Forsyth) Winston-Salem peace officers fund. Passed second and third readings.

HB 381 - (Lee) County commissioners election. Clarifying amendment adopted; passed second and third readings.

HB 394 - (Macon) Fire protection aid. Amended to limit to $500 the amount which Macon County may grant in any one year to any community in the county to aid in purchase and maintenance of fire trucks and equipment; passed second and third readings.

HB 430 - (Dare) Community center property transfer. Passed second and third readings.

HB 431 - (Dare) Requiring building permits. Passed second and third readings.

HB 435 - (Richmond) County judge and solicitor pay. Passed second and third readings.

HB 439 - (Polk) Sheriffs and jailer salaries. Passed second and third readings.

HB 443 - (Edgecombe and Nash) Rocky Mount property sale. Passed second and third readings.

HB 444 - (Edgecombe and Nash) Rocky Mount court warrants. Passed second and third readings.

HB 445 - (Nash) Prohibiting palmistry. Passed second and third readings.

HB 448 - (Guilford) Extending revaluation review date. Passed second and third readings.

HB 451 - (Guilford) Investing county funds. Passed second and third readings.

HB 452 - (Guilford) Waiving county governmental immunity. Passed second and third readings.

HB 453 - (Wake) Assistant clerks. Passed second and third readings.

HB 457 - (Warren) Surplus bond fund disposition. Amended to permit use of transferred funds for construction, repair and maintenance of public school grounds as well as buildings; passed second and third readings.

HB 458 - (Greene) Requiring 1953 revaluation. Passed second and third readings.

HB 462 - (Rutherford) Forest City supplemental retirement appropriation. Passed second and third readings.

HB 464 - (Carteret) Extending Morehead City assessment due date. Passed second and third readings.

HB 465 - (Bertie) Colerain elections. Passed second and third readings.
HB 466 - (Surry) Assistant coroner. Passed second and third readings.
HB 469 - (Wilson) Increasing Sims commissioners. Passed second and third readings.
HB 473 - (Duplin) Overlapping commissioners terms. Passed second and third readings.
HB 475 - (Cumberland) Linden commissioners election. Passed second and third readings.
HB 477 - (Cumberland) Stedman municipal elections. Passed second and third readings.
HB 492 - (Mecklenburg) Banning concealed weapons carrying. Re-referred to Judiciary 1.
HB 497 - (Guilford) Guilford-High Point government building. Passed second reading.
HB 513 - (Franklin) Franklinton mayor court jury trials. Passed second and third readings.
HB 514 - (Rutherford) Ellenboro biennial elections. Passed second and third readings.
HB 515 - (Cleveland) Prohibiting bay rum sale. Passed second and third readings.
HB 523 - (Pitt and Lenoir) Extending Grifton limits. Passed second reading.
HB 524 - (Sampson) Creating Roseboro bird sanctuary. Passed second and third readings.
HB 526 - (Chatham) Delinquent taxes to general fund. Passed second and third readings.
HB 527 - (New Hanover) Mrs. Robinson's pension. Passed second and third readings.
HB 528 - (Alamance) Burlington property sale. Passed second and third readings.
HB 529 - (Alamance) Burlington property exchange. Passed second and third readings.
HB 532 - (Wake) Cary officials election. Passed second and third readings.
HB 534 - (Wake) Increasing weeks of superior court. Passed second and third readings.
HB 535 - (Johnston) Grand jury terms. Passed second and third readings.
HB 537 - (Cherokee) Volunteer firemen jury exemption. Passed second and third readings.
HB 538 - (Cherokee) County auditor assistant. Passed second and third readings.
HB 541 - (Franklin) Louisburg conveyance to education board. Passed second and third readings.
HB 542 - (Franklin) Recorder salary. Passed second and third readings.
HB 544 - (Wayne) Appointing county auditor. Passed second and third readings.
HB 545 - (Wayne) Accountant serving as auditor. Passed second and third readings.
HB 546 - (Wayne) Abolishing record examination requirement. Passed second and third readings.
HB 548 - (Polk) Delinquent tax transfer. Passed second and third readings.
HB 554 - (Bertie) Agricultural fair appropriation. Passed second and third readings.
HB 556 - (Sampson) Roseboro cemetery commission. Passed third reading.
HB 559 - (Alamance) Constable and sheriff fees. Passed second and third readings.
HB 560 - (Alamance and Orange) Mebane election procedure. Passed second and third readings.
HB 562 - (Brunswick) School motion picture regulation. Passed second and third readings.
HB 575 - (Beaufort) Washington charter amendment. Passed second and third readings.
HB 578 - (Onslow) Jacksonville voting wards. Passed second and third readings.
HB 580 - (Swain) Auditing county books. Passed second and third readings.
HB 581 - (Halifax) Extending Scotland Neck limits. Passed second reading.
HB 589 - (Guilford) Firefighting obstruction. Passed second and third readings.
HB 590 - (Guilford) Reassessing in non-quadrennial years. Passed second and third readings.
HB 591 - (Guilford) Assistant CSCs. Passed second and third readings.
HB 596 - (Buncombe) Sheriff desk sergeant warrants. Passed second and third readings.

Next session of House: For consideration of local bills only, 10:00 a.m.,
Saturday, March 7, 1953.

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INSTITUTE OF GOVERNMENT

LEGISLATIVE SERVICE

GENERAL ASSEMBLY OF NORTH CAROLINA

DAILY BULLETIN

P. O. Box 1658 111 West Morgan St., Raleigh, N. C. Telephone 3-5515

BULLETIN NO. 45
Saturday, March 7, 1953

Session: Senate -- 9:30 a.m., for consideration of local bills only

PUBLIC BILLS INTRODUCED -- SENATE

None.

LOCAL BILLS INTRODUCED -- SENATE

None.

SENATE CALENDAR ACTION

PUBLIC BILLS

HB 99 - Rewording hit and run statute, as amended in House 3/5. Received from House; sent to Judiciary 2.

LOCAL BILLS

SB 149 - (McDowell) Delinquent tax transfer. Passed second and third readings.
SB 150 - (McDowell) Marion and Old Fort private land sales. Passed second and third readings.
SB 151 - (McDowell) Removing tax collection limitation. Passed second and third readings.
SB 240 - (Cumberland) Adjusting unpaid taxes. Passed second and third readings.
SB 244 - (Polk and Stokes) Walnut Cove-Columbus interest refunds. Passed second and third readings.
SB 250 - (Yadkin) Increasing officials salaries. Votes by which bill passed second and third readings reconsidered; amendment adopted on 3/6 was deleted; passed second and third readings.

HB 55 - (Orange) Carrboro mayor's court trials, as amended in House 2/25. Passed second and third readings.
HB 209 - (Columbus) Repealing 1951 recorder court law. Received from House; sent to Counties, Cities and Towns.
HB 258 - (Johnston) Firemen jury duty exemption. Received from House; sent to Courts and Judicial Districts.
HB 291 - (Halifax) Validating JP acts. Passed second and third readings.
HB 305 - (New Hanover) Private sale of Wilmington property. Received from House; sent to Counties, Cities and Towns.
HB 315 - (Columbus) Sheriff and constable fees (House committee substitute 3/4). Received from House; sent to Judiciary 1.
HB 323 - (Rockingham) School unit property disposal. Received from House; sent to Education.
HB 324 - (Granville) Oxford police jurisdiction extension. Received from House; sent to Judiciary 2.
HB 347 - (Cabarrus) Public drunkenness. Received from House; sent to Judiciary 1.

HB 351 - (Orange) Officials fees. Received from House; sent to Counties, Cities and Towns

HB 352 - (Orange) Assistant coroner. Received from House; sent to Counties, Cities and Towns.

HB 353 - (Orange) JP fees. Received from House; sent to Counties, Cities and Towns.

HB 354 - (Orange) Officials salaries. Received from House; sent to Counties, Cities and Towns.

HB 355 - (Orange) Officials per diem. Received from House; sent to Counties, Cities and Towns.

HB 356 - (Orange) County commissioners election. Received from House; sent to Counties, Cities and Towns.

HB 359 - (Northampton) Volunteer firemen jury exemption. Passed second and third readings.

HB 373 - (Henderson) Hendersonville hospital property transfer. Received from House; sent to Finance.

HB 378 - (Forsyth) Winston-Salem peace officers fund. Received from House; sent to Judiciary 1.

HB 386 - (Wilkes) Volunteer firemen jury exemption. Passed second and third readings.

HB 407 - (Scotland) Delinquent taxes to general fund. Passed second and third readings.

HB 421 - (Duplin) Volunteer firemen jury exemption. Passed second and third readings.

HB 430 - (Dare) Community center property transfer. Received from House; sent to Counties, Cities and Towns.

HB 431 - (Dare) Requiring building permits. Received from House; sent to Counties, Cities and Towns.

HB 435 - (Richmond) County judge and solicitor pay. Received from House; sent to Counties, Cities and Towns.

HB 439 - (Polk) Sheriffs and jailer salaries. Received from House; sent to Counties, Cities and Towns.

HB 443 - (Edgecombe and Nash) Rocky Mount property sale. Received from House; sent to Education.

HB 444 - (Edgecombe and Nash) Rocky Mount court warrants. Received from House; sent to Courts and Judicial Districts.

HB 445 - (Nash) Prohibiting palmistry. Received from House; sent to Judiciary 2.

HB 448 - (Guilford) Extending revaluation review date. Received from House; sent to Counties, Cities and Towns.

HB 451 - (Guilford) Investing county funds. Received from House; sent to Finance.

HB 452 - (Guilford) Waiving county govenmental immunity. Received from House; sent to Insurance.

HB 453 - (Wake) Assistant clerks. Received from House; sent to Judiciary 2.

HB 458 - (Greene) Requiring 1953 revaluation. Received from House; sent to Finance.

HB 461 - (Rutherford) Rutherfordton recorder court challenges. Passed second and third readings.

HB 462 - (Rutherford) Forest City supplemental retirement appropriation. Received from House; sent to Counties, Cities and Towns.

HB 464 - (Carteret) Extending Morehead City assessment due date. Received from House; sent to Finance.

HB 465 - (Bertie) Colerain elections. Received from House; sent to Counties, Cities and Towns.

HB 466 - (Surry) Assistant coroner. Received from House; sent to Counties, Cities and Towns.

HB 469 - (Wilson) Increasing Sims commissioners. Received from House; sent to Counties, Cities and Towns.

HB 473 - (Duplin) Overlapping commissioners terms. Received from House; sent to Counties, Cities and Towns.

HB 475 - (Cumberland) Linden commissioners election. Received from House; sent to Counties, Cities and Towns.

HB 477 - (Cumberland) Stedman municipal elections. Received from House; sent to Election Laws and Senatorial Districts.

HB 483 - (Vance) CSC advance fee collection. Passed second and third readings.
HB 513 - (Franklin) Franklinton mayor court jury trials. Received from House; sent to Courts and Judicial Districts.
HB 514 - (Rutherford) Ellenboro biennial elections. Received from House; sent to Counties, Cities and Towns.
HB 515 - (Cleveland) Prohibiting bay rum sale. Received from House; sent to Propositions and Grievances.
HB 524 - (Sampson) Creating Roseboro bird sanctuary. Received from House; sent to Propositions and Grievances.
HB 526 - (Chatham) Delinquent taxes to general fund. Received from House; sent to Finance.
HB 527 - (New Hanover) Mrs. Robinson's pension. Received from House; sent to Retirement-Employment Security.
HB 528 - (Alamance) Burlington property sale. Received from House; sent to Counties, Cities and Towns.
HB 529 - (Alamance) Burlington property exchange. Received from House; sent to Counties, Cities and Towns.
HB 532 - (Wake) Cary officials election. Received from House; sent to Judiciary 2.
HB 534 - (Wake) Increasing weeks of superior court. Received from House; sent to Courts and Judicial Districts.
HB 535 - (Johnston) Grand jury terms. Received from House; sent to Courts and Judicial Districts.
HB 537 - (Cherokee) Volunteer firemen jury exemption. Received from House; sent to Courts and Judicial Districts.
HB 538 - (Cherokee) County auditor assistant. Received from House; sent to Courts and Judicial Districts.
HB 541 - (Franklin) Louisburg conveyance to education board. Received from House; sent to Education.
HB 542 - (Franklin) Recorder salary. Received from House; sent to Courts and Judicial Districts.
HB 544 - (Wayne) Appointing county auditor. Received from House; sent to Finance.
HB 545 - (Wayne) Accountant serving as auditor. Received from House; sent to Finance.
HB 546 - (Wayne) Abolishing record examination requirement. Received from House; sent to Education.
HB 548 - (Polk) Delinquent tax transfer. Received from House; sent to Finance.
HB 554 - (Bertie) Agricultural fair appropriation. Received from House; sent to Agriculture.
HB 555 - (Bertie) Validating tax levies and sales. Passed second and third readings.
HB 556 - (Sampson) Roseboro cemetery commission. Received from House; sent to Judiciary 2.
HB 559 - (Alamance) Constable and sheriff fees. Received from House; sent to Judiciary 2.
HB 560 - (Alamance and Orange) Mebane election procedure. Received from House; sent to Election Laws and Senatorial Districts.
HB 562 - (Brunswick) School motion picture regulation. Received from House; sent to Education.
HB 575 - (Beaufort) Washington charter amendment. Received from House; sent to Counties, Cities and Towns.
HB 578 - (Onslow) Jacksonville voting wards. Received from House; sent to Election Laws and Senatorial Districts.
HB 580 - (Swain) Auditing county books. Received from House; sent to Counties, Cities and Towns.
HB 589 - (Guilford) Firefighting obstruction. Received from House; sent to Judiciary 1.
HB 590 - (Guilford) Reassessing in non-quadrennial years. Received from House; sent to Finance.
HB 591 - (Guilford) Assistant CSCs. Received from House; sent to Courts and Judicial Districts.
HB 596 - (Buncombe) Sheriff desk sergeant warrants. Received from House; sent to Courts and Judicial Districts.

Next session of Senate: 8:00 p.m., Monday, March 9, 1953.

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BULLETIN NO. 45
Saturday, March 7, 1953

Session: House -- 10:00 a.m., for consideration of local bills only.

PUBLIC BILLS INTRODUCED -- HOUSE

HB 685 - Introduced by Harmon

"To reimburse Vester Houston, Senia, North Carolina, for a lost refund check." [Citing loss of motor vehicle refund check in 1927, failure of department records to show payment, and finding of check recently, with denial of payment because of statute of limitations, directs motor vehicles commissioner to pay $134.50 to Vester Houston on presentation of check with affidavit of nonpayment.] To Appropriations.

LOCAL BILLS INTRODUCED -- HOUSE

HB 684 - (Yancey) Introduced by Atkins

"To appoint a board of education for Yancey County." [Names education board to take office April, 1953 as follows: T. A. Buchanan 6-year term, J. Yates Bailey 4-year term, Loyd Fortner 2-year term, successors to serve for 6-year terms. Authorizes board to elect own chairman for 2-year term, and a superintendent of schools to take office May 1953 for 2-year term. Authorizes board to appoint school committee of 3 electors for each school district in county (members must be residents of own district) to serve until April 1955, with power to elect principal and teachers in their respective districts for 1953-54 and 1954-55. Education board chairman has authority concurrent with superintendent of schools to notify principal or teacher of his non-election if notice sent by registered mail to addressees last known address before end of school year.] To Education.

HOUSE CALENDAR ACTION

PUBLIC BILLS

SB 130 - Bank incorporation certificates. Received from Senate; sent to Banks and Banking.

SB 137 - Examining adverse parties. Received from Senate; sent to Judiciary 2.

SB 216 - Dental student loan fund. Received from Senate; sent to Judiciary 1.

LOCAL BILLS

SB 95 - (Union) Adopting state rabies law. Passed second and third readings.

HB 130 - (Henderson) Officials salaries. Received from Senate for concurrence in Senate amendment; placed on calendar.

Next session of House: 8:00 p.m., Monday, March 9, 1953.

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INSTITUTE OF GOVERNMENT
Legislative Service

WEEKLY LEGISLATIVE SUMMARY

P. O. Box 1658 111 West Morgan St., Raleigh, N. C. March 7, 1953

NOTE: This is the eighth of a series of weekly summaries prepared by the legislative staff of the Institute of Government on the work of the North Carolina General Assembly of 1953. It is confined to discussions of matters of general interest and major importance.

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As the 1953 General Assembly completed its fifty-first legislative day on Friday, sessions were noticeably longer, with mounting calendar action occupying most of the legislators' time. The joint appropriations committee with its hearings completed had already begun its work trimming additional requests. Unless a prolonged fight develops over Governor Umstead's budget proposals, legislators may soon begin to eye a prospective adjournment date, although little is heard as yet on that subject. Next Thursday the legislators take a holiday to visit Camp Lejeune.

Propositions and Grievances

The public hearing on the "all or nothing" liquor referendum bill before a House committee on Tuesday brought hundreds of citizens from all over the state to Raleigh. Charges ranging from lightly veiled suggestions of liquor interest bribery (later retracted) and communist dictatorship by past legislative committees to failure to recognize the democratic right to vote were made by the dry forces. Others pleaded for consideration of the issue not as a revenue measure but as a moral one, as suggested by the Governor in his inaugural message. The Governor himself reiterated his position as favoring some kind of liquor referendum, but stated that he would not push the legislature further. No committee action was taken on the bill. Meanwhile, not even a murmur went through the House as the veterans' bonus bill, once regarded as a potential storm center, received its last rites through an unfavorable report. The Senate passed by a very narrow margin the bill to legalize cap pistol caps, which now is in the House Committee on Propositions and Grievances.

Appropriations and Finance

Although the joint appropriations committee put in only two days this week actually whittling on budget requests, it still may be in a position to complete its work by the end of the month. A public welfare request for $1,396,500 was turned down and many lesser requests were earmarked for study by a subcommittee, shortly to be appointed to handle major controversial items and periodically bring in recommendations to the full committee.

Amid rumors that Senate leaders will permit no tax increases and may refuse to go along with the Governor's recommended $15 million bond issue for educational institutions and hospitals, tax reduction proposals dominate the work of the joint finance committee. In a hearing on the proposal to eliminate or reduce the State intangible tax on stock, bank deposits and accounts receivable, textile representatives argued that the state was chasing pennies ($4.2 million last year, of which $3.4 million was allocated to municipalities) while losing dollars (potential additional income tax from wealth attracted to the state by a more favorable tax structure.) Companion bills introduced this week proposed to eliminate still further tax "inequities" -- this time by repealing the wholesale sales tax and wholesalers' license tax which bring the State an estimated $750,000 a year.

Local Government

An attempt was made in the House on Thursday to stop the flood of local bills exempting volunteer firemen from jury duty by making the exemption state-wide. HB 561, another state-wide measure designed to aid local governmental units, substantially rewrites the state rabies control law to make it easier for the average dog owner to comply with the law as well as to make it easier to administer, and brings the State Board of Health more clearly into the rabies control picture.

Motor Vehicle Law

The big question in the motor vehicle field is whether or not mechanical inspection will be required again. Rumors persist that Senate Judiciary 2 committee is prepared to give a favorable report to SB 183 providing for inspections by private garages, but a vote has been postponed until next week. Also postponed was a vote on the proposed financial responsibility law designed to encourage more drivers to take out automobile liability insurance. Thursday was dubbed "highway safety" day as 14 bills dealing with motor vehicles and their use on the highways were introduced; four other motor vehicle bills passed the House and were sent to the Senate. The bills passed would allow learners to practice driving at night as well as in the daytime; require dimming of headlights when following a car as well as meeting one; permit red lights on the front of school buses and private cars of some firemen; and make it easier for minors whose parents are deceased to get a driver's license. Some of the new bills would tighten the law on driving while under the influence of any drug; let the Commissioner approve muffler types; permit vehicles meeting stopped school buses on boulevards with a center separation strip of at least five feet to proceed without stopping; prohibit overcrowding of cars, motorcycles, and motor scooters; and clamp down on motorists who hit parked vehicles and fail to seek out the owner, in addition to stiffening provisions on collision reporting generally. A bill to let JP's try driver license violations got a favorable report, but was then sent to a new committee. The tobacco hogshead haulers will have to be a little more careful in securing the hogsheads since HB 62 finally passed both House and Senate in amended form; but trucks will not be required to have splash guards, as HB 254 received an unfavorable report.

Education

While representatives of the State's private schools urged the finance committee to give them hunting privileges by raising the allowable income tax deductions for charitable gifts from 10% to 20%, public school interests were favored by a bill to permit the financing and establishment of two-year "community colleges". A second driver education bill made its appearance; this one, appropriating only $25,000 to public schools, has a greater opportunity for survival than its predecessor which called for appropriations of almost $340,000.

Regulatory Agencies

The problem of licensing professions and vocations in N.C. received special attention this week. House bills were introduced to carry out recommendations of a special commission set up by the 1951 legislature to study practices and procedures before state agencies. The principal proposal would establish procedures to be followed by all 22 of the state's licensing boards in giving licensees and applicants an opportunity to be heard in cases affecting their eligibility to practice, with board decisions subject to court review. The Senate received a bill to abolish the present Nurse Examining Board and the Committee on Standardization (which set minimum requirements for the approval of nurses training schools) and to transfer their powers to a new Board of Nurse Education and Examination. At a public hearing on the Naturopathy bill, proponents made another in a long series of efforts to obtain state support in the form of a licensing board. Vigorous opposition was again encountered from leaders of the regular medical profession. As in 1951, a State Milk Commission has been proposed with extensive powers to fix prices and license distributors in commission-designated areas.

Courts and Judicial Districts

As a new effort toward improving court efficiency, HB 657 was introduced to increase judicial and solicitorial districts from 21 to 29. Each new district would have 1 resident judge except the 18th (Guilford), 20th (Mecklenburg) and 25th (Buncombe, Madison, Mitchell and Yancey), which would have 2. No district would have more than 1 solicitor. Jurisdiction of each emergency superior court judge would be extended by HB 570 to give such judge in his district concurrent jurisdiction with other superior court judges to decide matters out of term. An Administrative Procedure Commission bill creates a clear means of obtaining court review of certain types of administrative agency decisions.

INSTITUTE OF GOVERNMENT

LEGISLATIVE SERVICE

GENERAL ASSEMBLY OF NORTH CAROLINA

BULLETIN OF LOCAL LEGISLATION

P. O. Box 1658 111 West Morgan St., Raleigh, N.C. Telephone 3-5515

WEEKLY BULLETIN

Note: Included in this Bulletin is a digest of all local legislation introduced or acted upon by the General Assembly during the week ending March 7, 1953, affecting your county or any municipality therein.

WAKE COUNTY

SB 195 - Introduced by Bailey, Feb. 25 (Raleigh property exchanges)
Mar. 6, ratified.

SB 196 - Introduced by Bailey, Feb. 25 (Raleigh zoning hearings)
Mar. 6, ratified.

SB 260 - Introduced by Bailey, Mar. 4
"Relating to mineral rights in Wake County." [Bars action brought after Dec. 31, 1953 for possession or recovery of mining or mineral rights on any land in county, unless plaintiff bringing action has actively engaged in mining and extracting minerals from such land on or after Jan. 1, 1930, or unless plaintiff has, prior to Dec. 31, 1953, registered affidavit in county setting out name of claimant and metes and bounds of land on which rights are claimed. Register of deeds is to index all such affidavits filed in special index book and in real property index. Provisions are not to divest mining or mineral rights acquired or reserved on or after Jan. 1, 1930. Effective Dec. 31, 1953.] To Judiciary 2.

HB 224 - Introduced by Pou, Feb. 10 (Repealing Sunday auto race ban)
Mar. 6, reported unfavorably by House committee.

HB 370 - Introduced by Womble, Whitley and Pou, Feb. 20 (Redefining Garner limits)
Mar. 6, passed Senate.

HB 371 - Introduced by Womble, Whitley and Pou, Feb. 20 (Validating Garner officials acts)
Mar. 6, ratified.

HB 453 - Introduced by Pou and Womble, Feb. 25 (Assistant Clerks)
Mar. 6, passed House; Mar. 7, received in Senate; sent to Judiciary 2.

HB 493 - Introduced by Whitley, Feb. 27 (Wendell primary and town manager)
Mar. 4, passed House; Mar. 5, received in Senate; sent to Counties, Cities and Towns.

HB 532 - Introduced by Womble, Feb. 28 (Cary officials elections)
Mar. 6, passed House; Mar. 7, received in Senate; sent to Judiciary 2.

HB 534 - Introduced by Womble and Pou, Feb. 28 (Increasing weeks of superior court)
Mar. 6, passed House; Mar. 7, received in Senate; sent to Courts and Judicial Districts.

UNION COUNTY

SB 95 - Introduced by Smith, Feb. 6 (Adopting state rabies law)
Mar. 7, passed House.

VANCE COUNTY

HB 483 - Introduced by Falkner, Feb. 26 (CSC advance fee collection)
Mar. 4, passed House; March 7, passed Senate.

HB 582 - Introduced by Falkner, Mar. 4

"To continue the incorporation of the City of Henderson and to codify, amend and consolidate the statutes that constitute the charter of the City of Henderson, and to repeal certain acts and portions of certain acts constituting a part of its present charter." [Effective July 1, 1953, revises and rewrites entire charter, repealing all prior acts. Defines corporate limits and 4 ward boundaries by metes and bounds. Provides for election of mayor and 8 aldermen; candidates must file with clerk not later than third Friday prior to city election held on first Tuesday in May each year. City council is to determine own rules of order and procedure except as limited by act, and final votes involving expenditure of $1000 or more shall be recorded by ayes and nays. City council is to fix own salary "not to exceed $40 monthly" and salary of mayor. Sets out in detail duties of mayor, including: (1) supervisory power over department heads, (2) power to employ experts to examine city affairs with consent of city council and to administer oaths and compel attendance of witnesses and production of records in cases of investigations of charges against city officers or employees, (3) emergency powers in event of riots or disturbances threatening peace of the city, and (4) power to recommend removal of department heads to city council. Mayor is to be ex-officio non-voting member of allboards or commissions elected by city council unless designated as voting member; all city council orders to employees must be sent through mayor to department heads. Provides for and sets out detailed duties of following city officers who are to serve at pleasure of and with salaries fixed by city council: clerk, accountant, collector of revenue, treasurer, purchasing agent, and attorney. Provides for and sets out duties of police and fire departments, department of public works, and inspection, purchasing, and water works departments. Grants usual corporate powers plus additional powers, including powers (1) to inspect all dairies "inside or outside" city limits whose products are sold in city and to charge license fees for such inspection; (2) to condemn and remove dilapidated or unsafe buildings; (3) to levy special sewer assessments (not to exceed 5c per ft. of frontage) on property abutting any street in which a sewer line is located for payment of sewer bonds; (4) to pay up to $200 damages caused solely by negligence of city-operated vehicles (if there is no contributory negligence) in discretion of city council and when approved by city attorney; (5) to establish retirement system for employees; and (6) to acquire parking lots and control them by parking meters and/or attendants. Heads of departments are to be elected by city council and are empowered to fire employees subject to appeal to council. City is not required to advertise sales of property for tax liens, and time for bringing actions to enforce such liens is to be determined by governing body (notwithstanding general law). Sets out procedure permitting city council to order permanent improvements in public interest and provides for assessments therefor. Sets out procedure for granting franchises limited to not more than 30 years and procedure for bringing court action to compel licensee to perform services undertaken under terms of any grant, franchise or license. Provides that all actions against city for damages must be instituted within 90 days after injury. Authorizes city council to sell any city personal property at private sale. Provides that city contract in excess of $1,000 must be in writing and only such contracts are governed by G.S. 160-279 permits city to let purchase contracts of up to $2,000 informally without advertisement, but non-conflicting provisions of G.S. 143-129 as to advertisement and informal letting of contracts under G.S. 143-131 apply to city. Provides for park and recreation commission.] To Counties, Cities and Towns.

INSTITUTE OF GOVERNMENT

LEGISLATIVE SERVICE

GENERAL ASSEMBLY OF NORTH CAROLINA

DAILY BULLETIN

P. O. Box 1658 111 West Morgan St., Raleigh, N. C. Telephone 3-5515

BULLETIN NO. 46
Monday, March 9, 1953

Session: Senate -- 8:00 p.m.

PUBLIC BILLS INTRODUCED -- SENATE

SB 286 - Introduced by Proctor

"To amend General Statutes 111-8 relating to investigations, eye examination and treatment." [Amends G.S. 111-8 to permit the State Commission for the Blind to arrange eye examinations for its beneficiaries and to secure and pay for optometric services for such persons whenever, in judgment of qualified ophtalmologist or optometrist,eyes of such persons may be benefited thereby.] To Judiciary 1.

SB 289 - Introduced by Proctor

"To amend G.S. 105-149 relating to income tax exemptions for dependents." [Amends G.S. 105-149(e) to permit husband and wife (living together and both filing income tax returns) to divide income tax exemptions for their children between the two returns in any manner they may choose.] To Finance.

SB 293 - Introduced by Pate and Royster

"Amending G.S. 115-88 to provide that a county or city administrative school unit may appropriate funds to aid in the establishment of a school facility located in an adjoining administrative unit." [Amends G.S. 115-88 to authorize county or city administrative school unit (with approval of tax levying authorities) to appropriate funds for establishment and operation of a school in an adjoining county or city administrative unit under written agreement between governing boards of school administrative units involved (recorded in minutes), whereby children from unit making appropriation shall be entitled to attend school so established.] To Education.

SB 294 - Introduced by Pate and Royster

"To provide for the storage, handling and distribution of liquid fertilizers." [Adds Article 8 to G.S. 81 to provide for regulation of storage, handling and distribution of anhydrous ammonia and other liquid commercial fertilizers meeting definition of G.S. 106-50.3(g). Sale is to be invoiced to indicate seller, receiver or consumer, date of sale, grade (as term is defined by G.S. 106-50.3(h)) and net quantity by U. S. Standard avoirdupois weight. Every delivery is to be accompanied by tag showing net weight when loaded into container, but if load is delivered to more than one consumer, separate tag (indicating consumer, delivery date, grade and net quantity delivered in pounds) goes to each. Registration with state superintendent of weights and measures is required prior to engaging in business of handling, storing or distributing liquid fertilizer. Wholesale and retail distributors must also carry comprehensive liability insurance (minimum $10,000 for any single liability), or furnish evidence of financial responsibility or furnish $20,000 bond (approved as to form and sufficiency by insurance commissioner and conditioned to pay adverse final or consent judgments and liability arising during bond's term). Prior to building wholesale or retail distributing plant, layout plan, certified by owner or operator to conform to safety regulations adopted by Board of Agriculture, is to be submitted to state superintendent of weights and measures. "Pressure equipment", as defined in bill, must conform to Board's safety regulations and safety provisions set forth in bill. Board is authorized and directed to make necessary regulations after public hearing. Bill: (1) appropriates from General Fund an amount "sufficient" to pay salaries and expenses necessary in enforcement of bill's provisions; (2) makes it unlawful to dispense liquid fertilizer into container not meeting specifications set out or to issue falsified sales tag. Violation of bill's provisions or board's regulations constitutes misdemeanor punishable for first offense, by fine from $50 to $500 or imprisonment up to one year or both; for second offense, by fine from $100 to $1000 or imprisonment up to one year or both. Effective July 1, 1953.] To Agriculture.

SB 298 - Introduced by Copeland and others

"To amend G.S. 157-9 of the General Statutes of North Carolina so as to require a referendum before a cooperation agreement with any locality may be entered into by any housing authority." [Amends G.S. 157-9 (relating to powers of housing authorities) to prohibit any housing authority from entering into cooperation agreement with any county, city or town pursuant to Sec. 10(a), 10(h), or 15(7)(b) of U.S. Housing Act of 1937 without first obtaining approval of majority of electors of such county, city or town in a referendum to be called by council within 30 days of authority's request.] To Judiciary 1.

SR 299 - (Joint Resolution) Introduced by Jones

"Recognizing the splendid record made by the East Carolina College basketball team of Greenville, North Carolina." [As title indicates.] Passed three readings and sent to House.

LOCAL BILLS INTRODUCED -- SENATE

SB 285 - (McDowell) Introduced by Proctor

"To regulate the filing of candidates, time of election, and induction into office of new boards of aldermen of the Town of Marion." [Provides for municipal elections to be held on Tuesday after first Monday in May instead of on first Monday in May in election years. Candidates for office must file with clerk before 6 p.m. on 10th day preceding election. Elected officials take office on 3rd Monday in May subsequent to election.] To Counties, Cities and Towns.

SB 287 - (McDowell) Introduced by Proctor

"To regulate the filing of candidates, time of election, and induction into office of new boards of aldermen of the Town of Old Fort." [Provides for municipal elections to be held on Tuesday after first Monday in May instead of on first Monday in May in election years. Candidates for office must file with clerk before 6 p.m. on 10th day preceding election. Elected officials take office on 3rd Monday in May subsequent to election.] To Counties, Cities and Towns.

SB 288 - (McDowell) Introduced by Proctor

"To tax and regulate professional bondsmen and others in McDowell County." [Makes it unlawful to do business as professional bondsman without paying county $50 annual license fee. Bondsman must file schedule of financial condition to be approved by CSC, who must demand security from any bondsman whose financial condition is deemed inadequate. Prohibits bondsman from (1) soliciting business by attorney, court official, or law enforcement officer or to pay, give or lend such person anything of value for such services, (2) soliciting business, directly or indirectly, in any governmental building or (3) charging in excess of 10% of bond amount ($10 minimum permitted). No sheriff, policeman, constable, or jailer or their wives shall give bail for pay or as agents for bondsmen or recommend any bondsman or attorney. Violation of act is a misdemeanor, punishable by fine or imprisonment in discretion of court, and upon conviction court may suspend license of bondsman for 2 years. Act does not apply to surety or bonding company licensed by Department of Insurance.] To Counties, Cities and Towns.

SB 290 - (Graham) Introduced by Crawford

"To repeal Chapter 345 of the Session Laws of 1951 relating to the employment of a deputy sheriff in Graham County." [Ch. 150, 1935 Public-Local Laws, authorized county commissioners to employ deputy sheriff upon recommendation of sheriff, fixed salary of such deputy not to exceed $50 per month (in addition to fees), and provided for filling office of deputy biennially. Ch. 345, 1951 Session Laws, repealed Ch. 150, 1935 Public-Local Laws, and authorized sheriff to employ a deputy and county commissioners to fix salary and expenses and set out duties of such deputy. This bill repeals Ch. 345, 1951 Session Laws.] To Counties, Cities and Towns.

SB 291 - (Graham) Introduced by Crawford

"To make it unlawful to keep hogs, chickens or other stock or domestic animals within 150 yards of any residence in Graham County." [Makes it misdemeanor to confine domestic animals or chickens as title indicates. Person found guilty or entering plea of guilty or nolo contendere is to be punished in court's discretion.] To Counties, Cities and Towns.

SB 292 - (Graham) Introduced by Crawford

"To provide for the nomination and election of the members of the board of education of Graham County." [Provides that terms of present board members terminate April 1, 1953. Appoints new three member board to take and hold office from April 1, 1953 to next general election for county officers in 1954. At primary for such election, and biennially thereafter, each party is to nominate three candidates for election to board at next general election. Newly appointed board and board elected in 1954 are to designate board chairman.] To Education.

SB 295 - (Johnston) Introduced by Whitley

"To authorize the Johnston County board of education, with approval of the Smithfield school district committee, to use funds derived from a special tax in said district to make needed improvements in the Smithfield schools not provided for otherwise." [Authorizes use of surplus funds, derived from special school tax levy (25¢ per $100 property valuation) approved at election June 25, 1946, as indicated in title.] To Education.

SB 296 - (Johnston) Introduced by Whitley

"To amend Chapter 795 of the Session Laws of 1949, as amended, relating to the issuance of school bonds in Micro school district in Johnston County." [Amends section 1 of cited chapter: (1) to extend, from on or before April 4, 1953 to on or before April 4,1955, time within which local school committee must petition county commissioners for special election on issuance of school building bonds if commissioners are to order such election; (2) to change stated purposes of proposed bonds from school building construction to physical education and/or vocational building construction.] To Education.

SB 297 - (Johnston) Introduced by Whitley

"To authorize the issuance in Wilson's Mills high school district in Johnston County of school building bonds in an amount not to exceed fifty thousand dollars ($50,000.00) subject to a vote of the people." [On petition of local school committee on or before April 4, 1955, county commissioners are to order special election to determine whether bonds and/or notes indicated in title are to be issued and whether tax for their payment is to be levied. Bond purpose is to acquire sites and equipment for, and to construct and acquire, physical education buildings. Commissioners are to order new registration (published notice required) and conduct election (after published notice). Bill sets out ballot form and requirements for publishing notice and conducting registration. Returns by election officers are to be made in duplicate, one copy to commissioners who are to determine and publish election results, and one to CSC. Validity of election "or proceedings or steps taken in creation of "school district is not open to question in court except in action or proceeding commenced within 30 days after publication of election results.

Commissioners may by resolution, provide for bond and/or note issuance and tax levy, if majority of those voting in election approve. Bonds and/or notes are payable exclusively out of taxes levied in district but commissioners may pay any part of principal and interest from county funds. Bonds are to be serial bonds bearing interest not in excess of 6% per year, payment beginning not more than 3 years, and ending not more than 30 years, from issuance date. No installment may be over 2 1/2 times greater than smallest prior installment. Bill contains administrative provisions as to registration and execution of bonds and tax levy and collection. Provisions of Local Government Act are applicable.] To Education.

SENATE CALENDAR ACTION

PUBLIC BILLS

SB 180 - Controlling swine feeding. Passed second reading.
SB 259 - Confirming sales of realty under court decrees. Passed second and third reading.
SB 262 - Injured highway patrolman salary. Reported favorably as amended.
SB 270 - Amending dentistry laws. Passed second reading.
SR 299 - (Joint Resolution) Commending ECC quintet. Passed three readings.

HB 180 - Plumbing and heating contractor licensing. Passed third reading.
HB 181 - Soil conservation district boundary changes. Passed second and third readings.
HB 184 - Commitment of mentally ill, as amended in House 2/20. Passed second and third readings.
HB 206 - Machinery identification marks, as amended in House 2/20. Passed second and third readings.
HB 313 - Cross-indexing criminal cases. Passed second and third readings.
HB 314 - Cross-indexing old age assistance liens. Passed second and third readings.
HB 530 - Supreme Court reports to Utilities Commission. Passed second and third readings.

LOCAL BILLS

SB 252 - (Yadkin) Superior court terms. Passed second and third readings.
SB 264 - (Lee) Fixing officials salaries. Reported favorably.
SB 268 - (Madison) Hot Springs special tax. Passed second reading.

HB 578 - (Onslow) Jacksonville voting wards. Withdrawn from Election Laws and Senatorial Districts; placed on calendar.

Next session of Senate: 12 noon, Tuesday, March 10, 1953.

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BULLETIN NO. 46
Monday, March 9, 1953

Session: House -- 8:00 p.m.

PUBLIC BILLS INTRODUCED -- HOUSE

HB 686 - Introduced by Crissman

"To amend Article 3 A of Chapter 69 of the General Statutes relating to the creation of rural fire protection districts located in more than one county." [Amends G.S. 69-25.1 to permit 15% of the resident freeholders of an area (instead of a majority of qualified voters as at present) to obtain on petition a rural fire district tax election. Amends G.S. 69-25.7 to provide that tax fund provided under the act will be administered by county commissioners, or joint board of county commissioners where fire district lies in more than one county, or by fire protection district commission of 3 voters of the area appointed by board or joint board of county commissioners for 2-year terms, to serve at discretion of and under supervision of county commissioners. Adds G.S. 69-25.9 to provide that if petitioning area lies in more than one county, petition is submitted to commissioners of all such counties with election cost shared among them, and each county must collect tax on property in area in its county. Adds G.S. 69-25.10 to provide that on petition of 15% of resident freeholders of a fire district (but not oftener than every 2 years) board or joint board of county commissioners must hold election on abolishing district. Upon abolition, unused funds would go to general fund of county collecting them.] To Local Government.

HB 689 - Introduced by O'Herron and others

"To authorize the appropriation of surplus highway funds to be used for the purpose of eliminating the highways of grade crossings." [Authorizes Governor, on recommendation of SH&PWC chairman, from time to time and when as against existing appropriations a SH&PWC surplus exists, to use the surplus funds to match equal city funds (defined as money of a municipal corporation or made available to such municipality by any person or corporation for use under this act) for use in constructing grade crossing elimination projects. (Construction includes work incidental to construction as well as actual building and includes water as well as railway grade crossings.)] To Roads and Highway Safety.

HB 690 - Introduced by Hewlett and Yarborough

"To promote safety on the highways, to encourage driver responsibility, and to provide for the giving of security and proof of financial responsibility by owners and operators of automobiles." [Identical with SB 105 digested in the Senate section of Bulletin No. 25, February 10, 1953.] To Judiciary 1.

HB 693 - Introduced by Whitmire and others

"To provide for the appointment of the members of the State Board of Elections." [Amends G.S. 163-8 to end terms of all members of State Board of Elections on May 1, 1953, and to provide for appointment of new board by Governor to take office on that date.] To Elections and Election Laws.

HB 694 - Introduced by Gobble and others

"To provide supplemental funds for the maintenance of tuberculosis hospitals operated by the counties." [Appropriates $375,000 for fiscal year ending June 30, 1954, and $325,000 for fiscal year ending June 30, 1955, to be paid to Medical Care Commission. From such funds, Commission is to make payments to each county which supports and maintains a TB hospital approved by the N.C. TB Hospital System of $3 per "patient day" for each "medical indigent person" receiving care and treatment for tuberculosis in said hospitals, provided counties operating hospitals submit to Commission such information as it may require to substantiate number of medical indigents claimed to be hospitalized.] To Health.

HB 695 - Introduced by Leinbach

"To amend G.S. 20-6 so as to define "chauffeur" as used in the Uniform Driver's License Act." [As title indicates, tightens definition of "chauffeur" to include every person operating a passenger vehicle for compensation of any sort (instead of persons "employed for the principal purpose" of operating passenger vehicles) on any highway. Excludes drivers of church and Sunday school buses (as well as school bus drivers now excluded). Effective July 1, 1953.] To Judiciary 2.

HB 696 - Introduced by Williams of Yadkin

"For the validation of instruments acknowledged before a notary public wherein the expiration of the notary's commission is erroneously stated." [Validates all instruments, permitted or required under N.C. law to be recorded or filed, which were executed heretofore or are executed hereafter bearing acknowledgement of a notary public whose commission is erroneously stated therein to have expired prior to the acknowledgement, and validates all action taken on such documents subsequent to such acknowledgement to extent such document and such actions would be valid had expiration date been stated correctly. Does not affect pending litigation.] To Judiciary 2.

HB 698 - Introduced by Allen of Granville and others

"To amend Article 21A, Chapter 106 of the General Statutes, Volume 3A, relating to the enrichment of flour, bread and corn meal." [Amends G.S. 106-219.2 to remove definition of "degerminated" and to add definitions of "corn meal" and "corn grits" (all types of corn meal and corn grits intended for human consumption). Amends G.S. 106-219.3 and 106-219.6 (which make it unlawful for any person to manufacture, mix, compound, sell or offer for sale in N.C. any products covered therein which do not contain vitamins and minerals as prescribed) to (1) eliminate degerminated corn meal and degerminated hominy grits from products covered, (2) include "corn meal and corn (hominy) grits," (3) prescribe the required minimum vitamin and mineral content thereof, (4) permit such enriching ingredients to be added as now provided in subsection (d). Amends G.S. 106-219.4 to eliminate the words "degerminated grits or degerminated corn meal" from subsection (a) (which provides that terms of Article 21A do not apply to products enumerated therein when sold to bakers or other commercial secondary processors) and insert in lieu thereof "corn meal and corn grits" and to clarify the remainder of section. Repeals G.S. 106-219.9 which exempted mills grinding whole grain of corn or whole wheat flour. Effective January 1, 1954.] To Health.

HB 702 - Introduced by Pou

"To amend G.S. 58-72 relating to the definition of personal injury liability insurance." [Amends G.S. 58-72, subsection 13, which states the scope of the personal injury liability insurance business, to include in the obligation of insurer with reference to paying medical, hospital, surgical, and funeral benefits to injured persons, the payment of disability and death benefits in case of automobile liability insurance.] To Insurance.

HB 703 - Introduced by Falls

"To provide for the clarification of certain sections of the Bus Act of 1949." [Amends G.S. 62-121.46 to add definitions of "industrial plant" and "route". Amends G.S. 62-121.47 to exempt from operation of act vehicles transporting bona fide civilian employees of military bases to and from regular employment. Amends G.S. 62-121.47, subsection 3, to limit the exemption of vehicles transporting passengers to and from religious services and employees to and from industrial plants, to vehicles used "solely" for such purposes. Repeals subsection 4 of G.S. 62-121.47, which sets venue of actions to enforce Bus Act against persons claiming to be exempt from its terms in county of judicial district where violation is alleged to have occurred and gives respondent right to jury trial. Amends G.S. 62-121.48 to delete provision permitting Utilities Commission to give notice by newspaper publication before making general order, rule, regulation or requirement not directed at any specific carrier by name, so that in all cases of general orders, rules, regulations, or requirements, under the Bus Act, Commission must give 20 days' notice to carriers to be affected whether named specifically or not. Amends G.S. 62-121.62 to require written Commission approval before control of motor carrier under the act can be changed through stock transfer or otherwise, and to provide that provisions of section (regulating mergers, combinations, and transfers of certificates and permits) shall not apply to regular trading in listed securities on recoginzed markets. Adds to G.S. 62-121.72 (relating to unlawful operation), subsection 6, making it misdemeanor to solicit persons at or adjacent to bus terminal premises to induce them to use transportation for compensation other than that lawfully using premises by contract with terminal operator or order of Commission. Offense is punishable by up to $50 fine or 30 days imprisonment or both.] To Public Utilities.

HB 708 - Introduced by Turner, Hunt and Crissman
"To amend Chapter one hundred sixty-three of the General Statutes of North Carolina, relating to elections, to provide for special registration commissioners, a full time permanent registration, rules for purging registration, the transfer of challenges from the registrar to the county board of elections, an optional provision for registration at polling places, additional authority, powers, and duties of boards of elections, including the right to delegate certain powers, rules for counting ballots, conpensation to members of the boards of elections, registrars and other election personnel, and provision for district voting within a township." [This bill amends G.S. Ch. 163 as it applies to counties having two or more municipalities with a population of more than 35,000 each and in which a modern loose-leaf registration system permitted by G.S. 163-43 has been established. While drafted as a public bill, provisions of the bill will apply only to Guilford County and the digest is therefore carried in the local bills section of today's bulletin.] To Elections and Election Laws.

HR 710 - (Joint Resolution) Introduced by Worthington and Kilpatrick
"To recognize the record of the basketball team of East Carolina College." [Identical with SB 299, digested in Senate section of today's bulletin.] Passed three readings and sent to Senate.

LOCAL BILLS INTRODUCED -- HOUSE

HB 687 - (Rowan) Introduced by Barnett and Uzzell
"To authorize the towns of Spencer and East Spencer, in Rowan County, to sell certain property." [Authorizes governing bodies to sell real property at public auction after ten days' notice, published once during such period in a newspaper having general circulation in town offering property for sale. Any resale of property must be conducted in same manner.] To Counties, Cities and Towns.

HB 688 - (Brunswick) Introduced by Williamson
"To amend Chapter 463 of the Session Laws of 1951 relating to the salaries of certain officials in Brunswick County and to amend G.S. 153-13 relating to mileage allowance of the board of county commissioners of Brunswick County." [Retroactive to January 1, 1953, raises annual salary of register of deeds from $3000 to $3300, grants to field deputy sheriffs a monthly travel allowance of $25, and provides a mileage allowance not to exceed 7¢ per mile for county commissioners.] To Salaries and Fees.

HB 691 - (Polk) Introduced by Brantley
"Relating to the issuance of warrants and receipts by justices of the peace in Polk County." [Requires CSC to print and distribute to each JP a warrant book containing 100 consecutively numbered warrants and a receipt book containing 100 consecutively numbered receipts (in triplicate). Requires JPs to use the numbered warrants and issue numbered receipts for fines, fees, costs and other expenses, one copy of receipt to go to person making payment, one to be kept by JP, and one to be left in book to be turned over to CSC on last day of each April, August, and December,

Requires JPs to submit docket books to CSC for examination once each year, but section does not modify G.S. 7-132, requiring filing of JP dockets with CSC as each is filled.] To Counties, Cities and Towns.

HB 692 - (Duplin) Introduced by Carr

"Amending G.S. 105-422 so as to make the proviso as to the statute of limitations applicable to Duplin County." [Adds Duplin to counties listed in cited section to which provisions of section do not apply. Cited section provides a ten-year statute of limitations on actions to enforce certain tax liens.] To Judiciary 2.

HB 697 - (Pamlico) Introduced by Collier

"To authorize the board of commissioners of Pamlico County to make appropriations to incorporate municipalities located in Pamlico County for the purpose of establishing or maintaining fire departments in such incorporated municipalities which are to be used to protect rural areas." [Authorizes commissioners to appropriate to incorporated municipalities in county such funds as they deem necessary and adequate to establish or maintain fire departments therein. Requires any municipality receiving such an appropriation to furnish fire protection to all rural areas outside its corporate limits which are designated by the commissioners.] To Counties, Cities and Towns.

HB 699 - (Tyrrell) Introduced by Combs

"To grant police officers of the Town of Columbia the authority to enforce alcoholic beverage control laws within Tyrrell County; providing for the payment of police service; and defining the duties in connection with the enforcement of such laws in Tyrrell County for police officers in the Town of Columbia." [Authorizes Columbia police officers to exercise, within county, all powers and authority conferred upon ABC officers by G.S. 18-45(o), and grants such officers, when exercising such powers and authority, same protection as is given to ABC officers. Directs payment to Columbia by county ABC board, for services of police in enforcing such laws, all funds expended by such board for law enforcement purposes (to be at least 10% of total annual profits). Police officers remain at all times under direct control of Columbia governing body.] To Counties, Cities and Towns.

HB 700 - (Tyrrell) Introduced by Combs

"To extend the authority of the police officers of the Town of Columbia so as to include all territory within one mile of the corporate limits of said town." [As title indicates, extends to territory within one mile of town limits authority of town police to (1) make arrests, (2) serve warrants, and (3) enforce the motor vehicle laws.] To Counties, Cities and Towns.

HB 701 - (Rockingham) Introduced by Powell

"To amend Chapter 557 of the Session Laws of 1951, relating to the selection of trustees for the Leaksville Township Public School District." [Amends Sec. 1 of cited chapter to provide that three trustees to be elected in 1954 township general election are to serve for six (instead of four) year terms, and that of four trustees to be elected in 1956 election the two receiving the highest number of votes are to serve for six years and remaining two elected for four years. Directs that if, at time of any election in which trustees are to be chosen, any precinct in the township is without representation on board of trustees, the candidate from such precinct receiving the largest number of votes from entire district is to be declared elected regardless of number of votes received by other candidates.] To Education.

HB 704 - (Mitchell) Introduced by McKinney

"Authorizing the Town of Spruce Pine to sell real estate belonging to said town." [Authorizes town aldermen to sell, publicly or privately, property which has been used as town hall, fire department, and town offices. Directs mayor, upon confirmation of sale by aldermen, to convey fee simple title to purchaser. Provides that funds arising from sale are to be expended for purposes of purchasing a suitable lot and erecting thereon a building to be used for such municipal purposes as the aldermen deem proper.] To Judiciary 2.

HB 705 - (Haywood) Introduced by Palmer

"To empower the governing body of the Town of Canton, Haywood County, to cancel the indebtedness of churches for paving assessemnts." [As title indicates.] To Judiciary 2.

HB 706 - (Durham) Introduced by Sanders

"To amend Chapter 697, Session Laws of 1951, relating to providing a supplement to the retirement allowances of certain employees of the City of Durham and County of Durham." [Adds section to cited law to provide that as alternative to provisions of Local Governmental Employees' Retirement System and cited law, any city or county employee who had attained age 60 at date city and county respectively began participation in System, and who had paid regular contributions into System, may elect to receive in lump sum from System amount contributed (plus interest) and/or to receive in lump sum from city or county, as case may be, sum equal to amount which would have accumulated as contributions if city or county had matched contributions for same period of time for which contributions were paid by employee, and at same ratio as in case of employees below 60. Electing to take contributions under this act will be in lieu of benefits otherwise payable, except amounts contributed by employee plus interest. Authorizes governing bodies of city and county to appropriate funds required by act from ad valorem taxes, and payments will be considered supplementary payments for employee's services.] To Local Government.

HB 707 - (Guilford) Introduced by Turner, Crissman and Hunt

"To pay R. B. Jordan a sum not in excess of $500 for damages sustained to his automobile in a collision with a school bus in Greensboro, Guilford County, North Carolina." [Authorizes State Board of Education to pay civil judgment in favor of R.B. Jordan for $450 and $10 costs.] To Appropriations.

HB 708 - (Guilford) Introduced by Turner, Crissman and Hunt

"To amend Chapter 163 of the General Statutes of North Carolina, relating to elections, to provide for special registration commissioners, a full time permanent registration, rules for purging registration, the transfer of challenges from the registrar to the county board of elections, an optional provision for registration at polling places, additional authority, powers, and duties of boards of elections, including the right to delegate certain powers, rules for counting ballots, compensation to members of the boards of elections, registrars and other election personnel, and provision for district voting within a township." [Amends G.S. Ch. 163 to make extensive election law changes in counties having two or more municipalities with a population of more than 35,000 each and in which a modern looseleaf registration system permitted by G.S. 163-43 has been established. Provides for permanent registration system (under elections board rules) whereby books are to remain open continuously for registration by registrars and for acceptance of sworn applications for registration by registration commissioners (to be appointed by and serve two year terms at will of county elections board). Commissioners have no election duties and sworn applications become valid registrations only when approved by county elections board. Any qualified citizen may register with any registrar or file application with any commissioner, regardless of precinct residence. Board may fix times for registrars to appear at polling places (such appearances may be abandoned if county commissioners approve) and shall permit no registration later than 14 days before primary or general election. No new registration is necessary unless records are lost or destroyed. Where precinct boundaries changed, elections board makes necessary registration changes; when death occurs, register of deeds furnishes death certificate so that name may be removed; where person fails to vote for six years, name may be removed after notice (but re-registration is permitted). Board is to fix days on which records are to be open for challenges which are to be heard by elections board in manner provided by G.S. 163-79 for precinct officials (except election day challenges continue to be heard and determined by precinct officials). Otherwise G.S. 163-78 and 79 do not apply. Makes re-registration on moving from one precinct or ward to another in same county unnecessary if elector so moving files with board or any registrar or commissioner an affidavit giving detailed information of old and new residences. Thereupon registration is transferred but affidavit must be made over 21 days before primary or general election. Same procedure is followed when elector desires to change party affiliation. Election board is to prescribe registration forms, keep all original registration certificates, furnish copies of originals to precincts to form official precinct books for use in elections (although original form official evidence of registration.) Provides for registration of persons unable to write because of physical disability and of persons unable to write but eligible to register under constitution and statutes. Authorizes elections board with consent of county commissioners to (1) require registrar to report "unofficial" result of ballot count to board immediately after count is completed; (2) publish such unofficial reports to press, radio, and TV stations at county expense; (3) consolidate two or more precincts or wards in a township (wholly within or without municipality) for voting purposes only, notice of consolidation to be given 20 days before election (registration books are to be consolidated and registrars and judges are to constitute joint board except that challenges are heard by officials from precinct or ward in which challenged elector is registered); (4) divide county into two or more administrative units and designate one member of county board as supervisor who, after certification to State Board of Elections, shall possess powers of county chairman with respect to such unit (separate offices for each unit may be maintained); (5) designate executive secretaries (not political officeholders) to perform administrative duties for board and administrative units; (6) authorize use of sworn precinct ballot counters (to be appointed by elections board or registrar within number set by board); (7) fix, with consent of county commissioners, compensation of all employees of board or administrative units and of all registrars, judges, counters and other election personnel. Authorizes county commissioners to fix salaries of members of county elections board. Provides that G.S. 163-172 (providing for marking assistance to voters at election), 163-173 (providing for assistance for physically-disabled or illiterate voters), and 163-182 (providing for appointment of watchers for each political party at each polling place) shall not apply to affected counties. Requires county elections board to furnish copy of registrations to any candidate political party chairman, or other person making request, fee for such list to be fixed by board. Prohibits registrar from furnishing lists. Provides that county board shall maintain permanent poll record on original registration certificates in lieu of poll books required by G.S. 163-126.] To Elections and Election Laws.

HB 709 - (Hoke) Introduced by Greene

"To exempt certain volunteer firemen in the municipalities of Hoke County from jury duty." [Beginning July 1, 1953, empowers CSC of Hoke County to excuse from jury duty any person whose name appears upon list of active municipal volunteer firemen in good standing with own fire department and N.C. Firemen's Association, to be submitted by each municipal fire chief on first day of January and July of each year.] To Judiciary 2.

HOUSE CALENDAR ACTION

PUBLIC BILLS

SB 109 - Preserving pine trees (Senate committee substitute 3/4, as amended in Senate 3/6). Received from Senate; sent to Agriculture.

SB 242 - Licensing special mobile equipment, as amended in Senate 3/5. Received from Senate; sent to Roads and Highway Safety.

HB 364 - Renaming N. C. Spastic Children Hospital. Reported favorably.
HB 531 - Licensing convalescent homes as hospitals. Reported favorably.
HR 710 - (Joint Resolution) Commending ECC quintet. Passed three readings.

LOCAL BILLS

SB 149 - (McDowell) Delinquent tax transfer. Received from Senate; sent to Local Government.
SB 150 - (McDowell) Marion and Old Fort private land sales. Received from Senate; sent to Local Government.
SB 151 - (McDowell) Removing tax collection limitation. Received from Senate; sent to Finance.
SB 240 - (Cumberland) Adjusting unpaid taxes. Received from Senate; sent to Local Government.
SB 244 - (Polk and Stokes) Walnut Cove-Columbus interest refunds. Received from Senate; sent to Finance.
SB 250 - (Yadkin) Increasing officials salaries. Received from Senate; sent to Salaries and Fees.

HB 130 - (Henderson) Officials salaries, as amended in Senate 3/6. Postponed to 3/10.
HB 357 - (Orange) Dog warden. Amended to change mandatory $50 penalty, imposed upon person owning or having custody of a dog who permits his dog to leave his premises without the metal tag required by G.S. 106-369, to a maximum $50 fine. Passed second and third readings.
HB 497 - (Guilford) Guilford-High Point governmental building. Passed third reading.
HB 523 - (Pitt and Lenoir) Extending Grifton limits. Amended to change effective date of ratification to July 1, 1953. Passed second and third readings.
HB 578 - (Onslow) Jacksonville voting wards. Recalled from Senate.
HB 581 - (Halifax) Extending Scotland Neck limits. Passed third reading.

Next session of House: 12 noon, Tuesday, March 10, 1953.

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INSTITUTE OF GOVERNMENT

LEGISLATIVE SERVICE

GENERAL ASSEMBLY OF NORTH CAROLINA

DAILY BULLETIN

P. O. Box 1658 111 West Morgan St., Raleigh, N. C. Telephone 3-5515

BULLETIN NO. 47
Tuesday, March 10, 1953

Session: Senate -- 12 noon

PUBLIC BILLS INTRODUCED -- SENATE

SB 311 - Introduced by Bridger

"To amend G.S. 20-118 relating to the weight of vehicle and load permitted on the highways." [Amends G.S. 20-118(c), which fixes gross weight limit on any one axle of vehicle when wheels are equipped with high pressure solid rubber or cushion tires at 16,000 lbs. and G.S. 20-118(d), which fixes gross weight limit when wheels are equipped with low-pressure pneumatic tires at 18,000 lbs, to provide for penalty for each pound in excess of permitted limits as follows: (1) for first 300 lbs (or part thereof), $10, (2) next 200 lbs (or part thereof), $10, and (3) if excess is more than 500 lbs, then 5¢ per pound in excess of permitted limits; penalty does not apply if excess weight on one axle is not more than 2,000 lbs and all excess weight is redistributed on vehicle at point of detection so that no axle exceeds permitted weight limits. (Present law fixes penalty for each pound in excess of weight limits as follows: (1) for first 2,000 lbs, or part thereof, 1¢ per pound, (2) for next 3,000 lbs, or part thereof, 2¢ per pound, and (3) for each pound in excess of 5,000 lbs, 5¢ per pound.) Rewrites first paragraph following G.S. 20-118(k) to permit 5% tolerance for vehicle or vehicle and load over such permitted gross weight limits which are exempted under present law from tolerance for overloads.] To Public Roads.

SB 316 - Introduced by Weaver

"To rewrite Articles 9 and 9A of Chapter 90 of the General Statutes of North Carolina relating to the education and licensing of registered nurses and licensing practicall nurses." [Effective January 1, 1954. Article 9, Registered Nurses. Creates N. C. Board of Nurse Registration and Nursing Education (to replace Board of Nurse Examiners) composed of five nurses who must be members of and are elected by N. C. State Nurses' Association and who must have practiced as registered nurses at least three years just prior to election. Members serve for three year staggered terms. Board elects own officers, may fill vacancies for unexpired terms, may employ a registered nurse (not a board member) as executive secretary, and may employ legal counsel and other necessary assistance. Board is to fix own compensation (in addition to travel and hotel expenses) and that of employees, all to be paid from fees collected by board. Board must meet at least annually to license qualified nurses and consider accreditation of nurses' schools. Creates Advisory Committee to the board, composed of superintendent of public instruction (chairman), presidents of N. C. Medical Care Commission (sic), N. C. Hospital Association, N. C. Medical Society, N. C. College at Durham, N. C. Congress of Parents and Teachers, and State Board of Health (sic) secretary-treasurer of N. C. College Conference, chancellor of UNC, and commissioner of public welfare. Committee is to meet at least once a year (members not state officials receive from board $10 per meeting for two a year) and may make recommendations to board concerning administration of law. Defines "nursing" (does not include gratuitous nursing) and requires licensing prior to practice of nursing as defined.

Examinations must be held at least annually; applicants must pass written exam (scope defined in bill) and may be required to pass oral or practical exam. To be eligible for exam person must make proper application, be 20 years old, have good moral character, have high school education or equivalent, and be graduate of approved nursing school. Board decision is final on whether applicant passed exam, but license must issue if exam is passed. Permits licensing out-of-state registered nurses if competency shown to satisfaction of board, (whose decision is final). Application fee is $15. If first exam failed, re-exam may be taken within two years without new fee. If re-exam failed, board may require further study and another $15 fee. Executive secretary collects fees; annual audit of funds by CPA required. Board, by rule, may allow out-of-state registered nurses to practice up to six months on temporary license ($6 fee). Nurses licensed prior to Jan. 1, 1954 are automatically licensed under this law but must comply with renewal provisions (includes $2 fee, or $5 for reinstatement of lapsed license), nurses temporarily discontinuing practice need not get renewal. Empowers board to deny, revoke or suspend license "or otherwise to discipline a licensee" for enumerated causes after notice and hearing under procedure of G. S. Ch. 150. Violation of terms of suspension order is made grounds for license revocation. Revoked or suspended license may be reinstated in board's discretion. Bill sets out detailed basic requirements and procedure for accreditation of nursing school, lists 34 N. C. schools now on accredited list. To become accredited, school must apply to board and show ability to meet statutory standards; after investigation board may give provisional (1-year) approval and fully accredit school following one year of satisfactory operation. If operation unsatisfactory, board must notify school of respects in which it has failed to meet standards and conduct hearing on school's eligibility for full accreditation. Board must have accredited schools surveyed periodically and on finding that school is no longer meeting requirements, it must notify school of particulars and allow 180 days for correction of deficiencies. At end of such period, committee of three board members is to visit school and if it believes deficiencies still exist, hearing must be held within 180 days during which time school is given provisional accreditation; if no hearing, full accreditation is automatically restored. If after hearing (hearing procedure set forth) board decides school is not meeting standards, school must be removed from accredited list and notice sent to school, and all its students and published in newspaper. (Fully accredited and provisionally accredited lists must be published and sent to schools and other interested parties; effect of provisional accredited listing is to inform students of question about school and has no effect on eligibility for licensing.) All board hearings are to be in Wake County unless otherwise ordered by board. Board may subpoena witnesses and records (wilful failure to comply is misdemeanor). Nursing school aggrieved by board decision may appeal to superior court, under procedure set out in bill, where judge reviews the decision on record without jury. Board decision is prima facie reasonable, and may be reversed if beyond constitutional or statutory authority, made on improper procedure or affected by error of law, unsupported by competent, material and substantial evidence, or arbitrary or capricious. Court may compel board action unreasonably delayed. Either party may appeal to supreme court. Makes it misdemeanor to obtain license by false representation, to refuse to surrender revoked license, to practice without license, to falsely represent school as accredited, or to violate provisions of article. Retains G. S. 90-171 authorizing nursing school at N. C. TB Sanitorium.

Article 9A, Practical Nurses. For purpose of licensing practical nurses creates N. C. Board of Nurse Registration and Nurse Education (Enlarged) which replaces present Board of Nurse Examiners (Enlarged). Board is composed of regular board plus three licensed practical nurses elected by N. C. Licensed Practical Nurses Association for three year staggered terms. Generally incorporates provisions of present law concerning purposes and duties of board, eligibility for examination, procedure for examination, license renewal requirements, and power to revoke and suspend licenses. Makes similar provisions with reference to practical nurses and schools of practical nursing as provided in connection with trained

Examinations must be held at least annually [illegible] license [illegible] in 1913 and may be [illegible] be eligible for [illegible] good moral character, [illegible] high school education or equivalent, and be graduates of approved nursing schools. [illegible] exam, but license [illegible]. [illegible] registered nurses [illegible] within two years [illegible]. If [illegible] failed, board may require further study [illegible] required. [illegible] six months on temporary license [illegible]. [illegible] October 1, 1913 are automatically [illegible] renewal [illegible] Violation of terms of suspension [illegible] revocation. Revoked or suspended license may be [illegible]

Article 13. Practical Nurses. [illegible] nurses (Article 9 above), with reference to meetings, compelling attendance of witnesses, advisory committee, nurses licensed under previous law, licensing by reciprocity, basic requirements for accreditation of schools, the preparing and publishing of lists of accredited schools (bill names eight now on list), procedure for accrediting schools, periodic surveys, effect of listing school as provisionally accredited, procedure for removing school from accredited list including manner of conducting hearings and procedure and scope of judicial review, and penalty clause. Bill would eliminate present Joint Committee of Standardization (which, with nurse examiner board, sets basic requirements for nurse training schools) and educational director. Article 9A does not prohibit persons from performing nursing services without license where they do not hold themselves out as licensed practical nurses.] To Public Health.

SB 314 - Introduced by Rankin

"To amend G. S. 113-261 so as to authorize the Governor and Council of State in their discretion to create a mineral museum in cooperation with the National Park Service." [Amends cited section to permit creation of a mineral museum as part of Dept. of Conservation and Development, and in cooperation with National Park Service, Governor and Council of State may allocate necessary funds from contingency and emergency fund.] To Conservation and Development.

LOCAL BILLS INTRODUCED - SENATE

SB 300 (Mecklenburg) - Introduced by McIntyre

"To regulate elections in Mecklenburg County." [Bill provides that county elections board's central office is to be open throughout year (board determines office hours) for registration, except for 29 days prior to primary or special election. Challenges may be made at central office throughout year until 3:00 p.m. on Saturday preceding primary or election. Registrars and election judges have normal duties but registrars need not be at polls on four Saturdays preceding primary or election. Registering voter must establish residence, citizenship and identity, take registration oath and sign registration card. Ballot is to be delivered to voter at time of voting if signature on registration card conforms to that on ballot application (signed at time of voting and kept as permanent record) and other data establishes applicant's qualifications. Election board is to keep in central office file of all registered voters and furnish verified record of all precinct voters to each precinct for use as precinct's registration record.] To Counties, Cities and Towns.

SB 301 - (Mecklenburg) Introduced by McIntyre

"To provide for the election of the members of the Charlotte Park and Recreation Commission." [Provides for nomination and election of 5 members of Park and Recreation Commission at next municipal primary and general election. Three candidates with most votes in general election are to serve for 4-year terms; two remaining candidates are to serve for 2-year terms. Successors are to be elected for 4-year terms. (Present law provides for appointment of commission members by Charlotte governing body.) Repeals Sec. 54(1), Ch. 366, 1939 Public-Local Laws, as amended, and all provisions of such chapter inconsistent with bill.] To Counties, Cities and Towns.

SB 302 - (Pender) Introduced by Whitfield

"To regulate hunting in Pender County." [Requires any person desiring to hunt or take game animals or birds in county to obtain permit from and pay $25 annual license fee to Wildlife Resources Commission. Does not apply to land owners and immediate families hunting on own property or to members of hunting clubs whose names have been certified to county commissioners. Act is to be effective for 3 years after ratification.] To Wildlife.

SB 303 - (Pender) Introduced by Whitfield

"To regulate the taking of deer in that area known as the Holly Shelter Game Refuge in Pender County." [Prohibits hunting, trapping, or killing deer in Holly Shelter Game Refuge for 3 years after ratification.] To Wildlife.

SB 304 - (Person) Introduced by Long

"To authorize the board of county commissioners of Person County to make appropriations to the Person County Artificial Breeders Association to assist in the promotion of artificial breeding of cattle and other livestock in Person County." [Beginning July, 1953 and ending June, 1955, authorizes county commissioners to appropriate up to $100 per month to county artificial breeders association to effect purpose indicated in title. Effective July 1, 1953.] To Counties, Cities and Towns.

SB 305 - (Cumberland) Introduced by Sanford

"To provide for an election for the issuance of bonds by the City of Fayetteville to finance the building and equipping of an auditorium." [If approved in an election, authorizes Fayetteville governing body to issue bonds up to $2 million and levy tax for payment thereof for erecting (preferably on city's 14-acre tract fronting south side of Rowan street) and equipping an auditorium (to be called Fayetteville Memorial Civic Center) as civic and recreation center and for acquiring other necessary property for such purposes. Provides for municipal bond election at general election on Tuesday after first Monday in May, 1953, with polls to be open from 8 a.m. until sunset. Permits city council to make reasonable charges for auditorium when rented for private purposes.] To Counties, Cities and Towns.

SB 306 (Cumberland) - Introduced by Sanford

"Relating to the town of Bonnie Doone in Cumberland County." [Revokes order of Municipal Board of Control (issued Oct. 27, 1941) which created Town of Bonnie Doone. Does not affect power of board, under G.S. Ch. 160, Art. 17, to create incorporated town covering same area, in full or in part, or contiguous areas.] To Counties, Cities and Towns.

SB 307 (Cumberland) - Introduced by Sanford

"To authorize the City of Fayetteville to expend annually not more than fifty thousand dollars ($50,000.00) to promote new enterprises and other things, to levy a tax for said purposes and to hold an election therefor." [Authorizes maximum expenditure of $50,000 a year to promote new industry, expand recreation facilities, encourage civic enterprises (including production of "Highland Call") and for other purposes tending to increase municipal population and taxable property. Authorizes levy of special tax to raise such sum, less other revenue not derived from ad valorem taxation budgeted for such purposes, if tax is approved by majority voting at a special election. Election may be held on Tuesday after first Monday in May, 1953 under provisions of Municipal Finance Act (polls to be open from 8:00 a. m. to sunset). Sets out ballot form. Each expenditure of tax proceeds must be authorized by 3/4 vote of city council after approval by majority of citizens committee for a Greater Fayetteville. Committee is to have 5 members representative of civic life appointed by city council.] To Counties, Cities and Towns.

SB 308 (Cumberland) - Introduced by Sanford

"Relating to the ward and precinct lines within the City of Fayetteville, Cumberland County." [Provides that ward lines established for city primaries and elections are to constitute precinct lines for all other primaries and elections. Ward lines may be altered by joint action in compliance with G.S. 163-22, of city council and county board of elections.] To Counties, Cities and Towns.

SB 309 (Halifax) - Introduced by Crew

"To amend Chapter 190 of the Public-Local Laws of 1941 so as to authorize extra sessions of the recorders court of Halifax County." [Adds section 4a to cited chapter to authorize the calling of special sessions of recorder's court on

unanimous consent of (and session date to be by) judge and solicitor of court, sheriff and CSC. County commissioners are to pay judge and solicitor 1/50th of their annual salary for each extra session. Bill is not to be construed to affect Ch. 627, 1945 Session Laws, which sets date for recorder court sessions in City of Roanoke Rapids and authorizes continuance of such sessions from day to day.] To Counties, Cities and Towns.

SB 310 (Edgecombe) - Introduced by Weeks

"To authorize the Town of Tarboro and the County of Edgecombe to establish and maintain a free public library." [Authorizes town and county, as tenants in common, to acquire land for and erect and maintain free public library and branches thereof. Library is to be governed by board of trustees, 3 appointed by town commissioners and 3 appointed by county commissioners. Members first appointed are to serve for staggered terms (one county and one town appointee reaching term end on Dec. 31, 1953, 1954 and 1955). Successors are to serve for 3 years. Trustees are to certify annual estimate of funds needed to county and town commissioners who may (1) appropriate revenues available to support of library in proportions and amounts mutually agreed upon; (2) levy maximum library support tax of 10¢ per $100 property valuation in their respective jurisdictions if so authorized at town and/or county election held according to G. S. 160-65. Validates acts and proceedings of: (1) town commissioners and officers in relation to issuance of $40,000 library bonds, acquiring library building land and equipment; (2) county commissioners and officers in placing $40,000 of ABC funds in trust for establishment of free public library. Authorizes issuance of such bonds and use of such trust funds for establishment of library.] To Counties, Cities and Towns.

SB 312 - (Pitt) Introduced by Jones

"To increase certain fees of constables in Pitt County." [Amends Ch. 926, 1945 Session Laws, to increase specified fees.] To Counties, Cities and Towns.

SB 313 (Graham) - Introduced by Crawford

"To provide for the nomination and election of the members of the board of education of Graham County." [Provides that terms of present board members terminate April 1, 1953. Appoints new three member board to take office April 1, 1953; two members serve for 6 year terms and one for two year term. Successors are to be nominated in party primaries and elected (without approval of General Assembly) for six year terms, in general elections. Newly appointed and successor boards are to designate board chairman.] To Education.

SB 315 (Buncombe) - Introduced by Weaver

"Amending G. S. 115-38 relating to the nomination and appointment of members of county boards of education and fixing the term of office of members of the board of education of Buncombe County." [Amends G.S. 115-38 to provide that successors to members of education board appointed by 1953 General Assembly are to be appointed for 6-year terms; after expiration of terms of each of such members, all members shall serve 6-year terms.] To Education.

SB 317 (Rowan) - Introduced by Woodson

"To amend Chapter 397, Section 4 of the 1951 Session Laws of North Carolina." [Amends cited section to increase compensation of Rowan CSC for serving as county law librarian from $15 to $25 per month.] To Judiciary 2.

SB 318 (Rowan) - Introduced by Woodson

"Amending G.S. 14-335(1) relating to the punishment for public drunkenness by adding Rowan to the list of counties covered by said act." [Amends G. S. 14-335(1) by adding Rowan to the list of counties in which punishment for public drunkenness is fixed at fine of up to $50 or imprisonment of up to 30 days.] To Judiciary 2.

SB 319 (Wake) - Introduced by Bailey

"To provide for the assessment of local improvement costs against abutting property owners in certain instances without petition." [Amends Ch. 1184, Sec. 105, 1949 Session Laws as amended to add that city council may, without petition, order paving (which may include installation of necessary water and sewer mains and laterals and curbs, gutters, drains and sidewalks) of unimproved portion, less than one block in length, of continuous street if found necessary and in public interest. Cost of such improvement may be assessed against abutting property owners as if petition had been made. Council may, without petition, order sidewalk improvements (which may include curbs, gutters, drains and sewers) and assess total cost against abutting property owners under G.S. Ch. 160 Art 9 when it is of opinion that public interest so requires. Total cost of sidewalk (including sidewalk or part of driveways in street area) repair must be assessed against abutting property owners when council is of opinion that public interest requires such repairs. Cost of sidewalk repairs is lien on property, superior to all other liens, to be collected as are property taxes with 6% interest from assessment date. Unless in council's opinion, sidewalk needs immediate repair, abutting property owner must be given 30 days written notice that city will so repair and assess unless he makes the repairs within 30 days at his own cost and in conformance with city specifications.] To Counties, Cities and Towns.

SENATE CALENDAR ACTION

PUBLIC BILLS

SB 27 - Instruments securing future advances. Taken from unfavorable calendar; re-referred to Judiciary 1.

SB 180 - Controlling swine feeding. Passed third reading.

SB 207 - Organizing Junior Historian Movement. Reported favorably.

SB 220 - Leased vehicle licensing procedure. Withdrawn from Public Roads; placed on calendar.

SB 255 - Municipal Control Board incorporations. Reported favorably.

SB 262 - Injured highway patrolman salary. Amended to add provision that injured patrolman must report incapacity to commissioner of motor vehicles who is to determine cause of incapacity and extent to which claimant can be assigned to other duties. Finding of commissioner determines claimant's rights unless claimant files request for hearing before Industrial Commission within 30 days thereafter; Commission is to conduct hearings as under Workmen's Compensation Act, subject to court review. Patrolman refusing to perform duties assigned as result of findings of commissioner or Industrial Commission receives no benefits. Postponed to 3/11.

SB 266 - School driver training. Reported favorably; re-referred to Appropriations.

SB 270 - Amending dentistry laws. Passed third reading.

SB 272 - Handling Tryon Palace gifts. Reported favorably.

SB 274 - Intestate distribution renunciation. Reported favorably.

SB 280 - Establishing public libraries. Reported favorably.

SB 281 - Reorganizing state library commission. Reported favorably.

SB 293 - Establishing school in neighboring unit. Reported favorably.

SR 299 - (Joint Resolution) Commending ECC quintet. Recalled from House.

HR 710 - (Joint Resolution) Commending ECC quintet. Received from House; placed on calendar; passed second and third readings.

LOCAL BILLS

SB 13 - (Graham) Jailer fees, as amended in House 2/13. Received from House for concurrence in House amendment; failed to concur; the President appointed the following conferees: Hobgood and Crawford.

SB 214 - (Buncombe) Asheville school board terms. Reported favorably.

SB 215 - (Pitt) Farmville mayor court clerk and solicitor. Reported favorably.
SB 230 - (Robeson) Creating Maxton school unit. Reported favorably.
SB 251 - (Yadkin) Designating county building sites. Reported favorably.
SB 254 - (Franklin) Firemen's Fair dates. Reported favorably.
SB 256 - (Franklin and Wayne) School building contracts. Reported favorably.
SB 257 - (Yadkin and Forsyth) Fixing CSC and register fees. Reported favorably.
SB 264 - (Lee) Fixing officials salaries. Passed second and third readings.
SB 268 - (Madison) Hot Springs special tax. Passed third reading.
SB 282 - (Forsyth) Prohibiting trash disposal along highways. Reported favorably.
SB 284 - (Scotland) Public drunkenness. Reported favorably.
SB 285 - (McDowell) Marion elections. Reported favorably.
SB 287 - (McDowell) Old Fort elections. Reported favorably.
SB 288 - (McDowell) Regulating bondsmen. Reported favorably.
SB 290 - (Graham) Deputy sheriff. Reported favorably.
SB 295 - (Johnston) Education board tax expenditure. Reported favorably.
SB 296 - (Johnston) Micro school bonds. Reported favorably.
SB 297 - (Johnston) Wilson Mills school bonds. Reported favorably.

HB 186 - (Transylvania) Unused schools for community centers, as amended in House 2/27. Reported favorably.
HB 218 - (Nash) Aid to agricultural exhibits. Reported favorably.
HB 315 - (Columbus) Sheriff and constable fees (House committee substitute 3/4). Reported favorably.
HB 323 - (Rockingham) School unit property disposal. Reported favorably.
HB 340 - (Perquimans) County commissioners salaries. Passed second and third readings.
HB 347 - (Cabarrus) Public drunkenness. Reported favorably.
HB 351 - (Orange) Officials fees. Reported favorably.
HB 352 - (Orange) Assistant coroner. Reported favorably.
HB 353 - (Orange) JP fees. Reported favorably.
HB 354 - (Orange) Officials salaries. Reported favorably.
HB 355 - (Orange) Officials per diem. Reported favorably.
HB 377 - (Gates) Defining Eure school district. Reported favorably.
HB 378 - (Forsyth) Winston-Salem peace officers fund. Reported favorably.
HB 381 - (Lee) County commissioners election, as amended in House 3/6. Received from House; sent to Counties, Cities and Towns.
HB 394 - (Macon) Fire protection aid, as amended in House 3/6. Received from House; sent to Counties, Cities and Towns.
HB 431 - (Dare) Requiring building permits. Reported favorably.
HB 435 - (Richmond) County judge and solicitor pay. Reported favorably.
HB 439 - (Polk) Sheriffs and jailer salaries. Reported favorably.
HB 443 - (Edgecombe and Nash) Rocky Mount property sale. Reported favorably.
HB 448 - (Guilford) Extending revaluation review date. Reported favorably.
HB 462 - (Rutherford) Forest City supplemental retirement appropriation. Reported favorably.
HB 465 - (Bertie) Colerain elections. Reported favorably.
HB 466 - (Surry) Assistant coroner. Reported favorably.
HB 469 - (Wilson) Increasing Sims commissioners. Reported favorably.
HB 473 - (Duplin) Overlapping commissioners terms. Reported favorably.
HB 493 - (Wake) Wendell primary and town manager. Reported favorably.
HB 497 - (Guilford) Guilford-High Point governmental building. Received from House; sent to Counties, Cities and Towns.
HB 514 - (Rutherford) Ellenboro biennial election. Reported favorably.
HB 523 - (Pitt and Lenoir) Extending Grifton limits, as amended in House 3/9. Received from House; sent to Counties, Cities and Towns.

HB 528 - (Alamance) Burlington property sale. Reported favorably.
HB 529 - (Alamance) Burlington property exchange. Reported favorably.
HB 541 - (Franklin) Louisburg conveyance to education board. Reported favorably.
HB 562 - (Brunswick) School motion picture regulation. Reported favorably.
HB 575 - (Beaufort) Washington charter amendment. Reported favorably.
HB 578 - (Onslow) Jacksonville voting wards. Returned to House on request.
HB 581 - (Halifax) Extending Scotland Neck limits. Received from House; sent to Counties, Cities and Towns.
HB 589 - (Guilford) Firefighting obstruction. Reported favorably.
HB 711 - (Robeson) St. Pauls election. Received from House; sent to Counties, Cities and Towns.

Next session of Senate: 12 noon, Wednesday, March 11, 1953

#

BULLETIN NO. 47
Tuesday, March 10, 1953

Session: House -- 12 noon

PUBLIC BILLS INTRODUCED -- HOUSE

HB 712 - Introduced by Regan

"To amend Chapter 88 of the General Statutes relating to privilege and license taxes of students attending beauty schools, colleges or academies." [Adds G.S. 88-30 to exempt all bona fide beauty students from all state license taxes.] To Finance.

HB 713 - Introduced by Regan

"To amend various sections of Chapter 88 of the General Statutes relating to the practice of cosmetic art." [Lowers age qualification in G.S. 88-10 from 18 to 16 years and allows apprentice to obtain registration certificate under reciprocity provisions of G.S. 88-19. Rewrites G.S. 88-19 to provide that (1) cosmetologists licensed in other states be admitted under same reciprocity provisions which those states extend to cosmetologists licensed in N.C.; (2) cosmetologists from states requiring no licenses and from states extending no reciprocity to N.C. must have completed 1000 class hours in Board-approved college, take and pass examination provided by G.S. 18-20(e) and pay $15 fee in addition to regular fee of $3.50.] To Propositions and Grievances.

HB 716 - Introduced by Gentry and others

"Amending G.S. 108-30.3 relating to compensation for extra legal expenses incurred in the collection of old age pension liens." [Provides that any county may include sum for extra legal expense incurred in collection of lien, not to exceed 10% of amount collected, as part of necessary cost of collection.] To Appropriations.

HB 727 - Introduced by White of Lenoir and Greene

"To prohibit the taking of male deer having antlers less than three inches in length." [Makes it unlawful to take, attempt to take, or possess male deer with antlers of size indicated in title; prohibition does not apply to persons possessing live deer under valid propagation permits. Wildlife protectors are given power to enforce prohibition.] To Wildlife.

HB 728 - Introduced by White of Lenoir

"To amend G.S. 113-146 relating to county fishing licenses." [Rewrites G.S. 113-146 to provide that resident county fishing licenses are not required for (1) persons 16 years old or younger and (2) resident landowners (or lessees for cultivation) and their dependents under 21 years when fishing from own lands and in public waters adjoining such lands (in open season and in conformance with G.S. Ch. 113, Art. 14 and rules of Wildlife Resources Commission). Removes provision that license will be required only of persons using artificial baits. Effective 30 days after ratification.] To Wildlife.

HB 729 - Introduced by White of Lenoir and Greene

"To amend G.S. 113-136 so as to authorize the establishment of creel limits on fish." [Amends G.S. 113-136 to permit Wildlife Resources Commission to prescribe maximum numbers of fish which may be taken in state waters.] To Wildlife.

HB 730 - Introduced by Whitmire

"To amend G.S. 50-13 by giving the presiding judge concurrent jurisdiction with the resident judge to determine custody cases as between parents divorced outside of North Carolina and to provide that such action shall be brought in the county of the child's residence." [As title indicates; hereafter proceeding may be instituted only in county where child is a resident. Effective July 1, 1953.] To Judiciary 1.

HB 731 - Introduced by Whitmire

"To provide for the order of rotation of additional regular resident superior court judges." [Amends G.S. 7-74 to provide for rotation of superior court judges if legislation authorizing creation of additional resident judgeships in some districts is adopted. Where a new judgeship is created in any district, the new judge is to hold courts of the judicial district next after district of residence in order of rotation prescribed in G.S. 7-74. If district next after district of residence is also authorized an additional judge, the new resident judge is to hold courts comprising rotation schedule #1. Judge presiding in a district at time a new resident judgeship is created is to continue to preside over courts in that district comprising rotation schedule #2 for an additional six months, while the judge coming into such district under the regular rotation plan is to preside during first six months over courts comprising schedule #1.] To Judiciary 1.

HB 732 - Introduced by Falkner

"Amending G.S. 14-32 relating to the punishment for an assault with a deadly weapon with intent to kill resulting in serious injury." [As title indicates; revises punishment to remove four month minimum sentence and to raise maximum sentence from ten to twenty years.] To Judiciary 2.

HB 734 - Introduced by Barnett and Uzzell

"To authorize the registers of deeds of the several counties to destroy, after six years, doctors' health certificates, blood reports and written consents required by law before issuing marriage licenses." [As title indicates; amends G.S. 51-9 to permit destruction of all such records and papers other than those relating to cases in which suit has been instituted against register for illegal issuance of marriage license (such records and papers may not be destroyed until suit has been finally determined).] To Judiciary 2.

HB 735 - Introduced by Speight and Clark of Bladen

"To rewrite G.S. 108-48 relating to the amount of assistance to dependent children." [Rewrites G.S. 108-48 to specifically include illegitimate children among those to whom payments may be made and to provide that for each dollar that a dependent child earns over and above $15 per month, 50¢ will be deducted from assistance to which they are otherwise entitled.] To Public Welfare.

LOCAL BILLS INTRODUCED -- HOUSE

HB 711 - (Robeson) Introduced by Regan and Floyd

"For the election of the mayor and board of commissioners of the Town of St. Pauls." [Provides for election at next regular municipal election of mayor and 6 commissioners. Three candidates for commissioner receiving most votes are to serve for 4-year terms, and three receiving next highest number of votes are to serve for 2-year terms; thereafter commissioners are to be elected for 4-year terms. Mayor is to serve for 2 years. Candidates for mayor or commissioner must file notice of candidacy with clerk at least 10 days prior to election and pay fee to be set by commissioners (not to exceed $5). With exception of provisions set out above, elections are to be conducted in accordance with general municipal election laws.] Passed three readings and sent to Senate.

HB 714 - (Mecklenburg) Introduced by O'Herron, Hicks, Gillette and Goodman

"To authorize the board of school commissioners to acquire property in Mecklenburg County beyond the boundaries of the Charlotte school administrative district." [Authorizes Charlotte district to acquire by gift or purchase (or under G.S. 115-85, to same extent as though site to be acquired were within boundaries of district)school building sites in Mecklenburg County outside district boundaries to be held for erection of school buildings when area may be annexed to district. Permits commissioners to erect school buildings on sites within territory which voters have elected to annex to district (under provisions of G.S. 115-361) during

period between election and date fixed for annexation of the territory. Authorizes sale of any site acquired outside of district boundaries by commissioners (in their discretion) under provisions of G.S. 115-86 governing sale of school property.] To Judiciary 1.

HB 715 - (Ashe) Introduced by Gentry by request

"To authorize and empower the board of aldermen, the governing board of the Town of West Jefferson, to list, value and revalue property for the purposes of town taxation without regard to the listing, valuation and revaluation of such property for purposes of state and county taxation." [Authorizes governing body to list, value, and revalue town property as title indicates during the year 1953, and thereafter in quadrennial years as provided for quadrennial revaluation of county property. Authorizes governing body to appoint city supervisor of taxation and one or more list takers and assessors (resident freeholders for period not less than 12 months) with same powers and duties given to similar county officers under G.S. Ch. 105. Listing and assessing procedure is to be, so far as possible, same as that specified for county listing and assessing. Authorizes governing body to designate or appoint a person to supervize preparation of tax records and receipts and to make such reports as may be requested or required by State Board of Assessments, and to employ such clerical assistance as may be advisable. Grants to governing body same powers and duties concerning property listing and assessing as are vested in county commissioners by G.S. Ch. 105, and authorizes such body to sit as board of equalization and review, with city supervisor as chairman. Powers to be exercised by and duties imposed upon governing board, city supervisor of taxation, list takers and assessors, city clerk, and taxpayers are to be the same, and they are subject to same penalties as provided in G.S. Ch. 105 for county commissioners, county auditors, county commissioner clerks, registers of deeds, and county supervisors, list takers and assessors.] To Finance.

HB 717 - (Buncombe) Introduced by Taylor, Jordan and Young

"Adopting an official record of uncollected taxes for the years 1944 through 1950 for the County of Buncombe and the City of Asheville." [As title indicates; authorizes official adoption of "tax scroll of uncollected taxes from 1944 through 1950" by county board of tax supervision, which scroll is declared official record of such board upon adoption; provides that any taxes not appearing as unpaid or assigned on such scroll following its official adoption are to be conclusively presumed to have been paid. Exempts tax collector of county board of tax supervision from responsibility for omission from scroll of any unpaid taxes for years 1944 through 1950.] To Judiciary 1.

HB 718 - (Nash) Introduced by Williams

"Authorizing the board of commissioners of Nash County to aid the Civil Air Patrol." [Authorizes county commissioners to pay $261.38 to Rocky Mount squadron of Civil Air Patrol, Inc.] To Judiciary 1.

HB 719 - (Brunswick) Introduced by Williamson

"To authorize the issuance in Bolivia school district in Brunswick County school building bonds in an amount not to exceed thirty thousand dollars subject to a vote of the people." [On petition of local school committee of Bolivia school district within 2 years, county commissioners are to order special election in such district to determine whether bonds and/or notes indicated in title are to be issued for purpose of erecting and equipping a "teacherage" on Bolivia school site. Commissioners are to designate polling places, appoint registrars and judges, canvass and judicially determine election results, and record their determination; commissioners are to order new registration (published notice required) and conduct election (after published notice). Bill sets out ballot form and requirements for publishing notices of election (at least three times) and registration and conducting registration. Returns by election officers are to be made in duplicate, one copy to commissiondrs who are to determine and publish election results, and one to CSC.

Validity of election or of creation of district, or right or duty to levy sufficient tax for the payment of bonds and/or notes authorized is not open to question in court except in action or proceeding commenced within 30 days after publication of election results. Commissioners may by resolution provide for bond levy and/or note issuance and tax levy if majority of those voting in election approve. Bonds and/or notes are payable exclusively out of special taxes levied in district but commissioners may pay any part of principal and interest from county funds. Bonds are to be serial bonds bearing interest not in excess of 6% per year, payment beginning not more than 3 years and ending not more than 30 years, from issuance date. No installment may be over 2 1/2 times greater than smallest prior installment. Bill contains administrative provisions for registration and execution of bonds and tax levy and collection. Provisions of Local Government Act are applicable.] To Finance.

HB 720 - (Guilford) Introduced by Crissman, Hunt, Shreve and Turner

"To amend Chapter one hundred sixty and Chapter one hundred sixty-three of the General Statutes of North Carolina, Article IV of Chapter one hundred seven of the Private Laws of 1931, and Chapter six hundred twenty-nine of the Session Laws of 1947 and to provide for the use of the Guilford County registration and registrars in future municipal elections in the City of High Point and also to transfer registration from the High Point municipal board of elections to the Guilford County board of elections." [Grants to county board of elections sole authority to create and define precincts and to fix polling places "within Guilford County, including the precincts within the City of High Point". All precincts created in city must be wholly within city. Provides that consolidated Guilford County-High Point registration in effect in 1952 general election, as corrected or deleted by county board of elections, is to be sole official registration for all municipal elections in High Point. Every person registered on official records of county board may vote in municipal elections in High Point if such registration, or transfer thereof, was made at least 14 days prior to municipal primary. Guilford County registrars are to serve in High Point municipal primaries and elections, and if any cannot or will not serve, a successor may be appointed by a member of the county board requested to do so by High Point municipal elections board. Prior to any municipal primary preceding a general municipal election, or prior to any special election, the High Point board may require the county board to open registration at each precinct polling place in city at times deemed necessary by municipal board (not later than 14 days prior to primary election date), cost of such registration to be borne solely by the city. Abolishes challenge day and requires challenges to be made to and heard by county board as provided in G.S. 163-79.1. Prohibits registrars from furnishing list of registration to any person and requires obtaining of such list as provided in G.S. 163-115.1. Requires county board to certify precinct registration books of High Point precincts to municipal board not less than two days prior to any municipal election, and requires return of books to county board in as good condition as when delivered no later than five days after official canvass of such election. Corrections may be made by county board at any time, including day of election. All expenses of taking, processing and keeping official registration in precincts wholly within High Point are to be paid by county except that city is to pay (1) 7 1/2¢ per name for each person registered in precincts wholly within High Point, (2) 3¢ per name for each person transferred to one of such precincts, (3) 3¢ per name for each person changing party affiliation in any such precinct, and (4) 1¢ for each name deleted from official registration as permitted by G.S. 163-31.2. Contains severability clause. (All statutory references are to changes proposed in HB 708, introduced March 9.) Repeals all conflicting general and local laws. Effective from and after May 12, 1953.] To Elections and Election Laws.

HB 721 - (Harnett) Introduced by Gregory

"To amend Chapter 816 of the Session Laws of 1951, relating to the salary of the solicitor of the recorder's court of Harnett County." [Raises cited salary from $2,800 to $3,000. Effective July 1, 1953.] To Local Government.

HB 722 - (Harnett) Introduced by Gregory

"To increase the term of office of the solicitor of the Harnett County recorder's court and that of the solicitor of the Dunn recorder's court in said county from two to four years." [Terms of cited officials are extended to and shall expire on first Monday in December, 1954. Same officials are to be elected at general election in 1954 and quadrennially thereafter.] To Judiciary 2.

HB 723 - (Cumberland) Introduced by Fisher and O'Hanlon

"To amend Chapter 280 of the Private Laws of 1917 and Chapter 87 of the Private Laws of the Extra Session of 1920 so as to abolish the Cross Creek cemetery commission and to transfer all of its property, powers and duties to the city council of the City of Fayetteville." [As title indicates.] To Local Government.

HB 724 - (Cumberland) Introduced by Fisher and O'Hanlon

"To provide for jail fees for Cumberland County." [Amends G.S. 153-180 to raise subsistence payment to jailer from 50¢ per day to $2 per prisoner (probably means $2 per day per prisoner). All sums expended for subsistence will be taxed in bill of costs and paid to county if prisoner pays costs.] To Salaries and Fees.

HB 725 - (Cumberland) Introduced by Fisher and O'Hanlon

"To repeal Chapter 132 of the Session Laws of 1947, relating to the regulation of certain businesses outside of corporate limits of municipalities in Cumberland County," [Repeals cited chapter which regulates filling stations, tourist camps, cabin camps, tourist homes, public dance halls, roadhouses, restaurants, hotels, trailer camps, and places of amusement in specified locations.] To Judiciary 1.

HB 726 - (Cumberland) Introduced by Fisher and O'Hanlon

"Relating to the operation of pool rooms on Sunday in Cumberland County." [Prohibits operation of pool or billiard rooms in county on Sunday under penalty of fine not exceeding $50 or imprisonment in discretion of the court.] To Propositions and Grievances.

HB 733 - (Surry) Introduced by Fowler

"To amend G.S. 160-29 relating to municipal elections as applied to the Town of Pilot Mountain." [Provides that town elections beginning with that on first Monday in May, 1953, shall be governed by G.S. Ch. 160, Art. 3 rather than by town charter.] To Elections and Election Laws.

HB 736 - (Swain) Introduced by Martin

"To amend G.S. 9-19 to exempt members of voluntary fire companies from jury duty in Swain County." [Empowers CSC to excuse from jury duty persons on active volunteer firemen list to be filed any time after ratification of act and thereafter in Jan. of each year, containing names of active members of companies as of Jan. 1 of that year. Persons becoming members of such companies after list filed are to be added upon certification of chief or secretary that they are members in good standing of duly organized voluntary fire company.] To Judiciary 2.

HB 737 - (Pasquotank) Introduced by Sawyer

"To postpone revaluation in Pasquotank County for a period of two years." [Postpones revaluation until 1955.] To Judiciary 2.

HB 738 - (Currituck) Introduced by Johnson

"To fix the fees of the register of deeds and the clerk of the superior court of Currituck County." [As title indicates; sets out detailed schedules of fees. Effective July 1, 1953.] To Counties, Cities and Towns.

HB 739 - (Currituck) Introduced by Johnson

"To fix the salaries of certain officials of Currituck County and to authorize the sheriff to employ and discharge deputy sheriffs in said county." [Sets annual salary of judge of recorder's court at $1,500 and of county auditor at $1,200; sets pay of county commissioners at $10 per day for regular or special meetings of the board; sets pay of jurors of superior court at $7 per day plus mileage at 7¢ per mile to and from county seat. Authorizes sheriff to employ and discharge at will all deputies allowed his office by law.] To Counties, Cities and Towns.

HB 740 - (Chowan) Introduced by White

"To authorize the town council of Edenton, North Carolina to appoint two (2) officers on the police force as warrant officers." Authorizes town council to appoint two police officers to have authority to issue warrants returnable before justice of peace or mayor of Edenton but making it unlawful for either officer to serve any warrant issued by him.] To Counties, Cities and Towns.

HOUSE CALENDAR ACTION

PUBLIC BILLS

SB 99 - Defining wild boar. Reported favorably.
SB 107 - Closing woodlands to prevent fires. Reported favorably.
SB 143 - Special trout licenses. Reported favorably.
SB 259 - Confirming sales of realty under court decree. Received from Senate; sent to Judiciary 2.
SR 299 - (Joint Resolution) Commending ECC quintet. Received from Senate; sent to Judiciary 2. (HR 710, identical to SR 299, passed the Senate today.)

HB 47 - Requiring turn signals (House committee substitute 3/4). Postponed to 3/11.
HB 163 - Two-judge superior court districts, as amended in House 2/20. Postponed to 3/11.
HB 233 - Private pond fishing privileges. Reported favorably.
HB 312 - CSC execution issuance. Reported favorably as amended.
HB 343 - Renaming N.C. Christian Missionary Convention. Reported favorably.
HB 362 - Confirming marshland titles. Reported unfavorably; removed from unfavorable calendar; re-referred to Judiciary 1.
HB 364 - Renaming N.C. Spastic Children Hospital. Passed second and third readings.
HB 390 - Custody determination in alimony actions. Reported favorably.
HB 399 - C & D director appointment and duties. Reported favorably.
HB 494 - Negro graduate study grants. Reported favorably.
HB 531 - Licensing convalescent homes as hospitals. Postponed to 3/13.
HB 643 - Postponing C & D regulation effect. Reported favorably.

LOCAL BILLS

SB 13 - (Graham) Jailer fees, as amended in House 2/26. Received from Senate with request for appointment of conference committee; the Speaker was authorized to appoint conferees.
SB 100 - (Graham) Prohibiting Cheoah trot lines. Reported favorably.
SB 177 - (Alexander and Lee) Dispossessing tenants, as amended in Senate 2/25. Reported favorably.
SB 238 - (Forsyth) Fixing register fees. Reported favorably.
SB 239 - (Forsyth) Officials salaries. Reported favorably.
SB 252 - (Yadkin) Superior court terms. Received from Senate; sent to Judiciary 1.

HB 130 - (Henderson) Officials salaries, as amended in Senate 3/6. Postponed to 3/11 [illegible] - ([illegible]) Introduced by [illegible]

[illegible]

[illegible] - ([illegible]) Introduced by [illegible]

[illegible]

[illegible]

[illegible]

HB 99 - Defining wild [illegible]

[illegible]

[illegible]

[illegible]

[illegible]

[illegible]

[illegible]

HB 236 - (Bladen) Additional penalty for liquor violations. Reported favorably as amended.
HB 275 - (Columbus) Tabor City bird sanctuary. Reported favorably.
HB 341 - (Buncombe, Catawba, Lenoir, Mecklenburg, Perquimans, and Rowan) Requiring signature for CSC acceptance, as amended in House 3/6. Passed second and third readings.
HB 363 - (Hertford) Deer hunting. Reported favorably.
HB 412 - (Orange) Recorder court prosecutor duties. Reported favorably.
HB 420 - (Clay) Trout hatchery. Reported favorably.
HB 459 - (Randolph) Substitute county recorder. Reported favorably as amended.
HB 563 - (Camden) Bear hunting. Reported favorably.
HB 578 - (Onslow) Jacksonville voting wards. Received from Senate in accordance with House request; votes by which bill passed second and third readings reconsidered; re-referred to Local Government.
HB 592 - (Guilford) High Point municipal appeals. Reported favorably.
HB 594 - (Jackson) Education board primary elections. Reported favorably.
HB 624 - (Greene) Transferring jury trials. Reported favorably.
HB 625 - (Greene) Repealing invalid jury trial transfers. Reported favorably.
HB 626 - (Greene) Designating commissioner clerk. Reported favorably.
HB 634 - (Halifax) Enfield court costs. Reported favorably.
HB 636 - (Camden, Currituck, Gates, Pasquotank, and Perquimans) Bear hunting. Reported favorably as amended.
HB 638 - (Rockingham) Validating Spray officials acts. Reported favorably.
HB 641 - (Washington) Education board terms. Reported favorably.
HB 660 - (Martin) Fox hunting. Reported favorably.
HB 661 - (Martin) Bear hunting. Reported favorably.
HB 662 - (Robeson) Deer hunting. Reported favorably.
HB 669 - (Pitt) Ayden library and recreation aid. Reported favorably.
HB 675 - (Pitt) Extending Greenville limits. Reported favorably.
HB 677 - (Mecklenburg) Grand juries. Reported favorably.
HB 680 - (Onslow) Validating officials pay. Reported favorably.
HB 692 - (Duplin) Removing tax lien limitation statute. Reported favorably.
HB 704 - (Mitchell) Spruce Pine property sale. Reported favorably.
HB 705 - (Haywood) Canton church assessment debt cancellation. Reported favorably.
HB 709 - (Hoke) Volunteer firemen jury exemption. Reported favorably.
HB 711 - (Robeson) St. Pauls election. Passed second and third readings.

BILLS RATIFIED

SB 92 - (Robeson) Prohibiting palmistry.
SB 120 - (Lee) Approving education board contracts.
SB 125 - (Forsyth) Tax payment discounts.
SB 127 - (Bladen) Increasing Bladenboro commissioners.
SB 139 - (Gaston) Superior court concurrent jurisdiction.
SB 148 - (McDowell) County court concurrent jurisdiction, as amended in Senate 2/27.
SB 152 - (McDowell) Transferring historical records.
SB 155 - (Gaston) School election registration.
SB 158 - (Cumberland) Extending Hope Mills police jurisdiction.
SB 165 - (Davidson) Thomasville school property transfer.
SB 167 - (Franklin) Louisburg street conveyance.
SB 169 - (Durham) Renaming Durham tax collector.
SB 203 - (Sampson) Volunteer firemen jury exemption.

HB 62 - Securing tobacco hogsheads (House committee substitute 2/11, as amended in Senate 3/5).
HB 124 - (Columbus) Tabor City mayor court costs.
HB 172 - (Catawba) Register of deeds pay (Senate committee substitute 3/4).

HB 205 - Governmental reorganization commission, as amended in House 2/24.
HB 213 - (Craven) Officials salaries and expenses.
HB 221 - (Cumberland) Prohibiting deer hunting in certain townships, as amended in House 2/20.
HB 235 - Law books for Industrial Commission.
HB 256 - Petition signatures in special proceedings, as amended in House 2/23.
HB 370 - (Wake) Redefining Garner limits.
HB 379 - (Rowan) Fee for serving JP process.
HB 382 - (Madison) Register fees.
HB 383 - (Madison) CSC fees.
HB 406 - (Rowan) Superior court summons execution fees, as amended in House 2/27.

Next session of House: 12 noon, Wednesday, March 11, 1953.

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INSTITUTE OF GOVERNMENT

LEGISLATIVE SERVICE

GENERAL ASSEMBLY OF NORTH CAROLINA

DAILY BULLETIN

P. O. Box 1658 111 West Morgan St., Raleigh, N. C. Telephone 3-5515

BULLETIN NO. 48
Wednesday, March 11, 1953

Session: Senate -- 12:00 noon

PUBLIC BILLS INTRODUCED -- SENATE

SB 320 - Introduced by Bailey
"To declare the relationship between a bank, safe deposit company or trust company and a person renting a safe deposit box to be that of lessor-lessee." [As title indicates.] To Banks and Currency.

SB 321 - Introduced by Bailey
"To provide that stop payment orders on banks must be in writing and shall not be effective until thirty minutes after the receipt thereof." [Amends G.S. 25-198 to effect purpose indicated in title.] To Banks and Currency.

SB 322 - Introduced by Godwin
"To amend G.S. 51-3 relating to void and voidable marriages." [Amends cited section to provide that marriage contracted under representation and belief that female partner is pregnant, followed by separation within 45 days and lasting for one year, is voidable if no child is born to female within 10 lunar months of separation date.] To Judiciary 2.

SB 323 - Introduced by Bason and Hobgood
"To provide for the payment of a fee to the register of deeds of any county for recording and canceling notices of liens for internal revenue taxes payable to the United States of America." [Amends G.S. 44-66 and 44-67 to fix 75¢ fee for register's performance of all official duties required under G.S. 44, Art. 11, which relates to recording and canceling of liens indicated in title.] To Judiciary 1.

LOCAL BILLS INTRODUCED -- SENATE

None.

SENATE CALENDAR ACTION

PUBLIC BILLS

SB 98 - Public record of assistance recipients. Reported favorably as to committee substitute.
SB 105 - Financial responsibility law. Reported favorably; re-referred to Appropriations.
SB 181 - Employment security amendments. Reported favorably; postponed to 3/18.
SB 183 - Vehicle inspection law. Reported favorably.
SB 207 - Organizing Junior Historian Movement. Passed second and third readings.
SB 218 - Authorizing revenue refunding bonds. Reported favorably.
SB 219 - Extending issuance time for local bonds. Reported favorably.
SB 220 - Leased vehicle licensing procedure. Passed third reading.

SB 255 - Municipal Control Board incorporations. Passed second reading.
SB 262 - Injured highway patrolman salary, as amended in Senate 3/10. Passed second and third readings.
SB 272 - Handling Tryon Palace gifts. Passed seond and third readings.
SB 274 - Intestate distribution renunciation. Postponed to 3/16.
SB 278 - Filing workmen's compensation claims. Reported favorably.
SB 280 - Establishing public libraries. Passed second reading.
SB 281 - Reorganizing state library commission. Passed second and third readings.
SB 283 - Increasing judicial and solicitorial districts. Reported favorably.
SB 293 - Establishing school in neighboring unit. Passed second reading.

HB 364 - Renaming N.C. Spastic Children Hospital. Received from House; sent to Public Health.

LOCAL BILLS

SB 214 - (Buncombe) Asheville school board terms. Passed second and third readings.
SB 215 - (Pitt) Farmville mayor court clerk and solicitor. Amended to permit town commissioners to authorize county court solicitor to prosecute docket in mayor's court and to pay such solicitor up to $75 per month; passed second and third readings.
SB 230 - (Robeson) Creating Maxton school unit. Amended to provide that children attending schools of city administrative unit are to include those within territory served by Maxton school district and to provide that trustees can fill board vacancies by appointment until next election; passed second reading.
SB 244 - (Polk and Stokes) Walnut Cove-Columbus interest refunds. Recalled from House.
SB 251 - (Yadkin) Designating county building sites. Passed second and third readings.
SB 254 - (Franklin) Firemen's Fair dates. Passed second and third readings.
SB 256 - (Franklin and Wayne) School building contracts. Passed second and third readings.
SB 257 - (Yadkin and Forsyth) Fixing CSC and register fees. Passed second and third readings.
SB 277 - (Beaufort) Abolishing jury trials. Reported favorably.
SB 282 - (Forsyth) Prohibiting trash disposal along highways. Passed second and third readings.
SB 284 - (Scotland) Public drunkenness. Passed second and third readings.
SB 285 - (McDowell) Marion elections. Passed second and third readings.
SB 287 - (McDowell) Old Fort elections. Passed second and third readings.
SB 288 - (McDowell) Regulating bondsmen. Passed second reading.
SB 290 - (Graham) Deputy sheriff. Passed second and third readings.
SB 295 - (Johnston) Education board tax expenditure. Passed second and third readings.
SB 296 - (Johnston) Micro school bonds. Passed second reading.
SB 297 - (Johnston) Wilson Mills school bonds. Passed second reading.
SB 300 - (Mecklenburg) Continuous election registration. Reported favorably.
SB 301 - (Mecklenburg) Charlotte park commission election. Reported favorably.
SB 304 - (Person) Artificial breeders appropriation. Reported favorably.
SB 305 - (Cumberland) Civic center bond election. Reported favorably.
SB 306 - (Cumberland) Revoking Bonnie Doone charter. Reported favorably.
SB 307 - (Cumberland) Fayetteville promotion expenditure. Reported favorably.
SB 308 - (Cumberland) Designating ward lines as precinct lines. Reported favorably.
SB 309 - (Halifax) Recorder court special sessions. Reported favorably.
SB 310 - (Edgecombe) Tarboro-county public library. Reported favorably.
SB 312 - (Pitt) Constable fees. Reported favorably.

SB 318 - (Rowan) Public drunkenness penalty. Reported favorably.

HB 92 - (Yancey) Burnsville pool room limitation. Reported favorably as amended.
HB 209 - (Columbus) Repealing 1951 recorder court law. Reported favorably.
HB 218 - (Nash) Aid to agricultural exhibits. Passed second and third readings.
HB 258 - (Johnston) Firemen jury duty exemption. Reported favorably.
HB 305 - (New Hanover) Private sale of Wilmington property. Reported favorably.
HB 311 - (Moore) Volunteer firemen jury exemption, as amended in House 3/3. Reported favorably.
HB 315 - (Columbus) Sheriff and constable fees. (House committee substitute 3/4). Passed second and third readings.
HB 323 - (Rockingham) School unit property disposal. Passed second and third readings.
HB 324 - (Granville) Oxford police juridiction extension. Reported favorably.
HB 330 - (Buncombe) Biltmore Forest bus subsidy. Reported favorably.
HB 338 - (Stokes) Records destruction, as amended in House 2/26. Reported favorably.
HB 347 - (Cabarrus) Public drunkenness. Passed second and third readings.
HB 351 - (Orange) Officials fees. Passed second and third readings.
HB 352 - (Orange) Assistant coroner. Passed second and third readings.
HB 353 - (Orange) JP fees. Passed second and third readings.
HB 354 - (Orange) Officials salaries. Passed second and third readings.
HB 355 - (Orange) Officials per diem. Passed second and third readings.
HB 357 - (Orange) Dog warden, as amended in House 3/9. Received from House; sent to Counties, Cities and Towns.
HB 373 - (Henderson) Hendersonville hospital property transfer. Reported favorably.
HB 377 - (Gates) Defining Eure school district. Passed second and third readings.
HB 378 - (Forsyth) Winston-Salem peace officers fund. Passed second and third readings.
HB 394 - (Macon) Fire protection aid, as amended in House 3/6. Reported favorably.
HB 430 - (Dare) Community center property transfer. Reported favorably.
HB 431 - (Dare) Requiring building permits. Passed second and third readings.
HB 435 - (Richmond) County judge and solicitor pay. Passed second and third readings.
HB 439 - (Polk) Sheriffs and jailer salaries. Passed second and third readings.
HB 443 - (Edgecombe and Nash) Rocky Mount property sale. Passed second and third readings.
HB 445 - (Nash) Prohibiting palmistry. Reported favorably.
HB 448 - (Guilford) Extending revaluation review date. Passed second and third readings.
HB 452 - (Guilford) Waiving county governmental immunity. Reported favorably.
HB 457 - (Warren) Surplus bond fund disposition, as amended in House 3/6. Received from House; sent to Counties, Cities and Towns.
HB 458 - (Greene) Requiring 1953 revaluation. Reported favorably.
HB 462 - (Rutherford) Forest City supplemental retirement appropriation. Passed second and third readings.
HB 464 - (Carteret) Extending Morehead City assessment due date. Reported favorably.
HB 465 - (Bertie) Colerain elections. Passed second and third readings.
HB 466 - (Surry) Assistant coroner. Passed second and third readings.
HB 469 - (Wilson) Increasing Sims commissioners. Passed second and third readings.
HB 473 - (Duplin) Overlapping commissioners terms. Passed second and third readings.
HB 475 - (Cumberland) Linden commissioners election. Reported favorably,
HB 493 - (Wake) Wendell primary and town manager. Passed second and third reading.
HB 497 - (Guilford) Guilford-High Point governmental building. Reported favorably.
HB 513 - (Franklin) Franklinton mayor court jury trials. Reported favorably.
HB 514 - (Rutherford) Ellenboro biennial election. Passed second and third readings.
HB 526 - (Chatham) Delinquent taxes to general fund. Reported favorably.
HB 528 - (Alamance) Burlington property sale. Passed second and third readings.

HB 529 - (Alamance) Burlington property exchange. Passed second and third readings.
HB 534 - (Wake) Increasing weeks of superior court. Reported favorably.
HB 535 - (Johnston) Grand jury terms. Reported favorably.
HB 537 - (Cherokee) Volunteer firemen jury exemption. Reported favorably.
HB 538 - (Cherokee) County auditor assistant. Reported favorably.
HB 541 - (Franklin) Louisburg conveyance to education board. Passed second and third readings.
HB 542 - (Franklin) Recorder salary. Reported favorably.
HB 544 - (Wayne) Appointing county auditor. Reported favorably.
HB 545 - (Wayne) Accountant serving as treasurer. Reported favorably.
HB 548 - (Polk) Delinquent tax transfer. Reported favorably.
HB 559 - (Alamance) Constable and sheriff fees. Reported favorably.
HB 562 - (Brunswick) School motion picture regulation. Passed second and third readings.
HB 575 - (Beaufort) Washington charter amendment. Passed second and third readings.
HB 581 - (Halifax) Extending Scotland Neck limits. Reported favorably.
HB 589 - (Guilford) Fire fighting obstruction. Passed second and third readings.
HB 590 - (Guilford) Reassessing in non-quadrennial years. Reported favorably.
HB 591 - (Guilford) Assistant CSCs. Reported favorably.
HB 711 - (Robeson) St. Pauls election. Reported favorably; placed on calendar; passed second and third readings.

BILLS RATIFIED

SB 95 - (Union) Adopting state rabies law.

HB 55 - (Orange) Carrboro mayor's court jury trials, as amended in House 2/25.
HB 180 - Plumbing and heating contractor licensing.
HB 181 - Soil conservation district boundary changes.
HB 184 - Commitment of mentally ill, as amended in House 2/20.
HB 206 - Machinery identification marks, as amended in House 2/20.
HB 291 - (Halifax) Validating JP acts.
HB 313 - Cross-indexing criminal cases.
HB 314 - Cross-indexing old age assistance liens.
HB 340 - (Perquimans) County commissioners elections.
HB 359 - (Northampton) Volunteer firemen jury exemption.
HB 386 - (Wilkes) Volunteer firemen jury exemption.
HB 407 - (Scotland) Delinquent taxes to general fund.
HB 421 - (Duplin) Volunteer firemen jury exemption.
HB 461 - (Rutherford) Rutherfordton recorder court challenges.
HB 483 - (Vance) CSC advance fee collection.
HB 530 - Supreme court reports to Utilities Commission.
HB 555 - (Bertie) Validating tax levies and sales.
HR 710 - (Joint Resolution) Commending ECC quintet.

Next session of Senate: 8:00 a.m., Thursday, March 12, 1953.

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BULLETIN NO. 48
Wednesday, March 11, 1953

Session: House -- 12 noon

PUBLIC BILLS INTRODUCED -- HOUSE

HB 748 - Introduced by Moore of Wilson and others

"To amend Chapter 106 of the General Statutes of North Carolina to provide for the licensing and regulation of rendering plants and to establish minimum standards for the operation thereof." [Adds new Art. 14A to G.S. Ch. 106, to require all persons engaged in "rendering operations" in state, defined as collecting and processing of inedible animal or poultry carcasses, or parts thereof, (other than those licensed by N.C. Dept. of Agriculture under Meat Inspection Act and those under federal inspection) to apply for and obtain a license from the commissioner of agriculture. Creates three member inspection committee, one (employee of Dept. of Agriculture) appointed by commissioner, one (employee of State Board of Health) appointed by state health officer, and one appointed by director of N.C. Division of Southeastern Renderers Assoc. (must have practical knowledge of rendering process), to serve at pleasure of appointing authority. State members receive no compensation. Requires commissioner, upon receipt of application for rendering license, to cause plant of applicant (or plans and site therefor) to be inspected by the committee, and directs committee to carry out such inspection promptly. Commissioner cannot require submission of plans or blueprints for plants in operation on Jan. 1, 1953. If inspection shows that plant meets standards set out in law (and regulations not inconsistent therewith promulgated by commissioner) committee is to certify findings in writing to commissioner. If plant (or plans and site therefor) does not measure up, committee is to notify applicant of deficiencies, to conduct a second inspection within a reasonable time (as determined by commissioner), and, if deficiencies are remedied, to certify findings to commissioner. Committee may be required to make no more than two inspections in connection with any single application. Upon receipt of certificate of compliance from committee, and upon payment of $50 license fee, commissioner is to issue rendering license, valid until revoked for cause. License may be revoked for failure to comply with provisions of Article (or rules and regulations not inconsistent therewith) if such failure is not corrected within reasonable time after notice of deficiency to licensee. Licensee whose license is revoked may re-apply for license in manner provided for original application, but commissioner need not direct inspection by committee for thirty days following revocation. Bill sets out minimum standards for conducting rendering operations and for transportation of raw materials therefor, including odor control and sanitation provisions, and requires licensee to keep such records as commissioner may require with respect to collection and disposal of dead animals. Authorizes licensee or his agent to kill animals on premises of owner upon request, but requires certificate of state veterinarian (or his agent) before animal, known to have a disease for which a quarantine may be imposed, may be removed. Commissioner is empowered to make rules and regulations for proper enforcement of Article, after consultation with committee. Authorizes licensee or "collector" (defined as any person who collects raw materials to sell to renderer for further processing) to transport raw materials for rendering purposes (except such materials specifically prohibited by law or regulation), and subjects collectors to certain sanitary requirements set out in Article and to rules and regulations pursuant thereto. Violation of Article constitutes a misdemeanor, punishable in discretion of court.] To Agriculture.

HB 749 - Introduced by Umstead

"To create a State Prisons Department and to prescribe its powers and duties; to provide for transferring control of the state prisons system from the State Highway and Public Works Commission to the State Prisons Department; and to revise and consolidate the laws governing sentencing to and administration of the state prisons system." [Effective July 1, 1953, repeals Articles 1, 2, 3, 3A, 5, 5A, 7, and 9 of G.S. Ch. 148 which deal with (1) administration and regulation of prison system by SH&PWC, (2) employment of prisoners, (3) bureau of identification (now consolidated records section, see HB 96 ratified Feb. 10), and (4) prison advisory council, and substitutes Art. 1 creating a State Prisons Department, Art. 2, defining its powers and duties, and Art. 3 concerning sentencing to imprisonment. New department consists of director of prisons and other full time officers and employees, and a State Prisons Commission composed of 4 ex-officio members without voting power (chairmen of SH&PWC and Hospitals Board of Control, Commissioner of Public Welfare, and Attorney General) and five regular members appointed (on basis of knowledge of prison administration and prisoner rehabilitation) by Governor for 6-year staggered terms. Regular members receive $10 per day and actual expenses. Commission must meet at least every 60 days at department headquarters in Raleigh; minutes of meetings must be open to press. Commission appoints director of prisons (who must be qualified on basis of training and experience) for indefinite term and may remove him with Governor's consent. Director serves as commission secretary and chief administrative officer of department, has authority of commission when it is not in session, and receives salary set by commission and approved by Governor under Budget and Personnel Acts. Employees may be discharged by director for cause, but have right to appeal to commission whose decision, after hearing, is final. Authorizes commission to appoint advisory committees of citizens having specialized knowledge in various aspects of prison affairs, members to receive travel expenses. Continues supervisory authority of state welfare and health boards. Transfers control over prison property from SH&PWC to prisons commission, identification of property to be determined by the two commissions with Governor deciding disputed claims. Continues Hospitals Board of Control power over Butner Youth Center. Transfers to Prisons Commission custody and control of prisoners and power to make rules regulating prison system, except (1) corporal punishment and prisoner stripes are prohibited, and (2) rules concerning conduct classifications and inducements to good conduct must be approved by Governor. Makes it felony for prisoner to seize hostage. Provides for separate facilities for different types of prisoners and for classification of units in accordance with type of inmate and rehabilitation facilities. Empowers director to transfer prisoners among units in system. Commission may designate, in addition to Central Prison and Women's Prison, units as classification centers for prisoners committed for more than six months (bill sets out classification requirements). Integrates functions of former bureau of identification into department as consolidated records section. Retains duty of prison authorities to provide for religious services and recreation, and requires commission to recognize rehabilitation as prison education objective. Commission may determine prisoner employment, subject to (1) constitutional requirement that prison be as self-supporting as possible within its purpose, and (2) stated policy of regard for vocational rehabilitation. In prison industry and agriculture, preference must be given to products for state government use, sale price to cover materials, labor and tools. Surplus articles may be sold to cities and counties. Continues authority to sell agricultural products on open market. Prison authorities may contract for hire of prisoners as under present law except priority to road work is modified and prisoners must remain under supervision of prison department. Able-bodied male prisoners not employed in prison industries or agriculture, nor engaged full-time in vocational training or educational pursuits, shall be available for hire to SH&PWC and other state agencies, and SH&PWC must hire all available prisoners it can economically use for road and other public works at hourly rate to be fixed by Governor, SH&PWC, and Prisons Commission. Rewrites law relating to sentencing felons so as to provide for direct commitments to Women's Prison of all females sentenced to state prison, and continues authority to assign women misdemeanants over 18 to Women's Prison whose terms exceed six months. Consolidates present laws relating to (1) youthful offenders, (revising definition to cover only first term offenders but raising age at time of sentence from 21 to 25), (2) custodial officers, (3) escapes, (4) investigating prisoner deaths from unnatural causes, (5) disposition of child born to female prisoner, (6) physical examination of prisoners for assignment to work, (7) employment of women prisoners, (8) manufacture of auto tags, (9) sentencing prisoners to work on city and county property, (10) sentencing to jail to work under commission, and (11) indeterminate sentences.] To Judiciary 2

HB 750 - Introduced by Greene

"To amend G.S. 113-109 by increasing certain penalties for the illegal hunting and taking of deer, and other game." [Rewrites G.S. 113-109 to set penalties for violations of G.S. Ch. 113, Art. 7 as follows: (1) unless a greater punishment is provided by specific section, for first offense fine of from $20 to $50 or imprisonment up to 30 days (fine was $10 to $50), and for second offense fine of from $35 to $200 or imprisonment up to six months or both in discretion of court (minimum fine was $25); (2) for any person, firm, or corporation convicted of buying or selling, or offering to buy or sell, game birds or game animals contrary to the Article, fine up to $50 or imprisonment up to 60 days or both in discretion of court; (3) for person who, after revocation of hunting license, procures or uses any other hunting license, or hunts with gun or dogs without a license during period of revocation, at least $50 fine or 30 days imprisonment, plus suspension of license privileges for year following conviction; (4) for spotlighting deer, at least $500 fine or 90 days imprisonment (was at least $100 fine or 60 days imprisonment or both in discretion of court); (5) for taking, attempting to take, or possessing female deer contrary to Article, at least $250 fine or 90 days imprisonment or both in discretion of court (was at least $50 fine or 30 days imprisonment or both).] To Wildlife Resources.

HB 755 - Introduced by Taylor of Buncombe and others

"To establish the 'Zebulon Baird Vance Memorial Commission' and to authorize it to acquire property and gifts and to do all things necessary to establish a perpetual memorial at the birthplace and home of Zebulon Baird Vance, and authorizing an appropriation in the amount of five thousand dollars to enable the said Commission to perform its duties." [As title indicates; cites public service of Vance and deterioration of birthplace. Creates 19-member Commission to serve without compensation or allowance, with directors of Archives and History and Conservation and Development departments, Superintendent of Public Instruction and State Treasurer as ex-officio members, nine members appointed by Governor, three by Buncombe county commissioners, and three by Asheville City Council. Provides for staggered 6, 4 and 2 year terms of appointed members, with successors serving 6 years. Commission is declared body corporate and politic, and government subdivision. Powers given include eminent domain (including public works eminent domain) and "power of eminent domain for the acquisition of personal property necessary" to carry out purposes of bill. Approves payment of sums by Buncombe Commissioners and Asheville council from surplus or non-tax funds to commission and declares them to be for public purpose. Other counties and municipalities are authorized to pay sums from surplus funds not derived from ad valorem taxes to Commission, with payments declared for public purpose. $5,000 appropriated is to be available when Commission has acquired or has binding contract and necessary funds (including $5,000 appropriation) to acquire Vance birthplace. When acquired and restored, and State is willing to accept, property is to be conveyed to State, to be administered by C & D department or other appropriate agency designated. Commission must consult with C & D on plans, and is dissolved after property conveyed to State.] To Appropriations.

HB 757 - Introduced by Uzzell

"To amend Article 43 of Chapter 106 of the General Statutes, relating to threshers of small grain, legume crops and peanuts." [Completely rewrites cited article to set up new system for reporting harvesting information. Every person, firm or corporation engaged in threshing for others or self must make complete report to commissioner of agriculture of acreages harvested and amounts threshed daily for each farm on blanks to be requested of and furnished by commissioner. Separate reports on small grains, legume crops, and peanuts must be filed within 10 days after season's threshing operations are completed except that preliminary reports must be filed (if season not completed) on small grains by Sept. 1, soybeans, lespedeza and clover seeds by Dec. 31, and peanuts by March 1. Requires farm machinery dealers to report to Dept. of Agriculture as of Jan. 1 and July 1 yearly the names and addresses of purchasers of new combines, threshing machines and peanut pickers. To administer act requires machine owners to pay Dept. of Agriculture $1 permit fee for each machine (does not apply to operators threshing own crops only). Makes violation a misdemeanor punishable by fine up to $25. Effective May 1, 1953.] To Agriculture.

HB 758 - Introduced by Allen of Granville and others

"To rewrite certain subsections of Article 2 of Chapter 105 of Volume 2C of the General Statutes relating to merchandising dispensers and weighing machines." [Rewrites G. S. 105-65.1(2) to levy $15 license tax on each soft-drink dispensing machine and to eliminate taxes on other dispensers now contained in that subsection. Retains provisions requiring every person, firm or corporation obtaining license on a machine which it distributes or operates to specify the serial numbers of each dispenser, making license non-transferable, requiring display of license, and requiring applicants for licenses to also pay license fees required under G. S. 105-79. Rewrites G. S. 105- 65.1(5) to specifically prohibit counties, cities and towns from collecting a distributor's or operator's occupational license or a dispenser or machine tax from distributors or operators of dispensing and weighing machines taxed under G.S. 105-65.1(1) and (2), except an occupational license from operators of cigarette dispensing machines of up to $10 yearly.] To Finance.

HB 764 - Introduced by Pou and others

"To appropriate $116,309.60 for the purpose of constructing bathhouses and swimming pools at Crabtree Creek and Reedy Creek state parks." [Citing appropriations for swimming pool construction by 1949 General Assembly, delay of projects by federal regulations, rising costs which made appropriation insufficient even with revision of plans, and study of projects by subcommittee of House Committee on Conservation and Development, appropriates $116,309.60 to complete these projects.] To Appropriations.

HB 768 - Introduced by Fowler and others

"To regulate the sale and use of dynamite and other powerful explosives." [Prohibits sale or delivery of powerful explosives to any person unless (1) purchaser, or person receiving same, is known to seller or dispenser, (2) seller or dispenser is satisfied with legitimate purpose for which explosive is to be used, and (3) purchaser or receiver submits to seller a signed, written statement of purpose for which explosive is to be used. Requires persons selling explosives to keep records (and make quarterly sworn statements to CSC of county in which sale took place) of all purchasers to whom explosives have been sold, including date of sale, quantity of explosive purchased, and use to be made of such explosive. Requires all persons having explosives under their control to keep such explosives in a safe and secure manner and to protect them against theft or other unauthorized possession. Violation constitutes misdemeanor punishable by fine or imprisonment in discretion of court.] To Propositions and Grievances.

HB 776 - Introduced by Long and others

"To amend G.S. 105-434, Volume 2C of the General Statutes of North Carolina, relating to gallon tax on motor fuels." [Amends G. S. 105-434 to provide that when a distributor pays the motor fuels gallon tax based on the gross quantity of motor fuel purchased, produced, refined, or manufactured and is credited with a tare of 2% of gross sales up to 150,000 gallons and of 1 1/2% on sales between 150,000 gallons and 250,000 gallons, he must submit satisfactory evidence to the commissioner of revenue that a tare of 1% of gross sales up to 150,000 gallons has been paid or credited to each licensed retail dealer on quantities sold during the period covered by the report and a tare of 1/2 of 1% of sales to each dealer between 150,000 and 250,000 gallons. All tares so granted by the distributor must come from the tares granted distributor by statute.] To Finance.

HB 779 - Introduced by Long

"To amend Chapter 143 of the General Statutes of North Carolina relating to stream sanitation." [Rewrites G.S. 143-215.2, dealing with abatement of existing sources of pollution, to provide that when State Stream Sanitation Committee finds a presently installed treatment plant is inadequate to protect waters affected, or that wastes are being discharged to detriment of water's best usage, it may order responsible person to make necessary correction to protect established water quality standard, stating nature of condition to be remedied. If request is made within 30 days, a hearing must be had in which committee must consider evidence on reasonableness, practicability and physical and economic feasibility of any available disposal system, and on basis of the evidence make findings of law, conclusions of fact, and rescind, modify, or affirm the order. Degree of treatment needed, or changes required, and reasonable time for compliance (time may be extended) must be specified in order, except that if there exists more than one practicable means of correction, person has right to choose among them. If no hearing is requested, or if decision is modified or affirmed, decision becomes final (subject to court review under G.S. 143-215.5) and committee may bring action in superior court as necessary to enforce compliance.] To Conservation and Development.

LOCAL BILLS INTRODUCED - HOUSE

HB 741 - (Caswell) Introduced by Warren

"To provide for better protection of maps, plats, blueprints or other drawings filed for registration in the office of the register of deeds for Caswell County." [As title indicates; requires such drawings to be on linen tracer paper of same size now required in county, and register is not required to accept drawings which do not conform. County commissioners are authorized to furnish binders and to have any drawings now filed retraced or repaired. Effective July 1, 1953.] To Counties, Cities, and towns.

HB 742 - (Caswell) Introduced by Warren

"Relating to the authority of the board of county commissioners of Caswell County to fix the salary of the sheriff and to regulate certain fees to be charged by county officials and to authorize said board to furnish clerical help for county officials." [Authorizes commissioners: (1) to fix salary of sheriff at not less than $3,000 annually (but bill is not to affect sheriff's expense account); (2) to set fees to be charged by register, CSC, sheriff, and county recorder court; and (3) to pay from general fund to register, CSC, tax supervisor, and county accountant sum for additional clerical help. Effective July 1, 1953.] To Counties, Cities and Towns.

HB 743 - (Caswell) Introduced by Warren

"Authorizing the board of county commissioners of Caswell County to appoint a county accountant and to fix his salary, duties and responsibilities, and to amend G.S. 153-180 with regard to jailer's fees in Caswell County." [Authorizes commissioners to appoint accountant and fix his salary and duties, at expiration of term of present accountant. Person appointed is to serve at pleasure of board, and give bond and take oath required by general law. Amends G.S. 153-180 to authorize commissioners to set jailer fees (now fixed at 75 cents per day maximum). Effective July 1, 1953.] To Counties, Cities and Towns.

HB 744 - (New Hanover) Introduced by Hewlett

"To authorize the County of New Hanover to convey to the City of Wilmington, the Legion stadium in said city for certain purposes." [Authorizes conveyance of Legion stadium to city, together with all property adjacent thereto and all buildings thereon, upon consideration that county board of education will be permitted to use the land for recreational, athletic and other school purposes (subject to reasonable regulations) and that city will maintain and operate property for promotion and development of recreational, educational, athletic and other like municipal purposes. Directs reconveyance of property to county if city ceases to use property for such purposes.] To Judiciary 1.

HB 745 - (New Hanover) Introduced by Hewlett
"Relating to the drawing of juries in New Hanover County." [Authorizes county commissioners (at least 20 days before each regular or special term of superior court) to cause to be drawn from jury box, as provided by law, 36 scrolls when term is for trial of civil cases exclusively, and 50 scrolls when term is for trial of criminal cases exclusively.] To Judiciary 1.

HB 746 - (New Hanover) Introduced by Hewlett
"To fix the salaries of certain officials and employees of New Hanover County." [As title indicates; fixes annual salaries of following officials at named figure: county auditor, $5,460; sheriff, $6,000; CSC, $5,560; register of deeds, $5,460; recorder court judge, $6,000; recorder court solicitor, $5,100; chairman of board of county commissioners, $5,460.] To Judiciary 1.

HB 747 - (New Hanover) Introduced by Hewlett
"To amend Section 105-422 of the General Statutes of North Carolina, relative to the bar of tax liens in New Hanover County." [Adds New Hanover to counties (listed in section) to which provisions of section do not apply. Section provides that no action for collection of taxes or enforcement of tax liens (other than liens for street or sidewalk improvements) may be instituted by any county or municipality more than ten years after date such taxes became due.] To Judiciary 1.

HB 751 - (Harnett) Introduced by Gregory
"To authorize the board of county commissioners of Harnett County to appoint rural law enforcement officers and to fix their salaries and duties." [Provides for appointment of not more than five rural law enforcement officers, prescribing of their qualifications and duties, and establishment of adequate headquarters for them by county commissioners. Sheriff may make non-binding recommendations for appointments. Officers appointed shall have same authority and duty in law enforcement as sheriff now has. Commissioners must set salary of from $200 to $300 per month and travel allowance of from $75 to $150 per month. Appointed officers are to furnish own automobiles and devote full time to law enforcement work. All fees collected by them are to be turned into county. Effective July 1, 1953.] To Local Government.

HB 752 - (Randolph) Introduced by Gavin
"To amend Chapter 113 of the Public Local Laws of 1921 relating to the fees to be charged by the sheriff of Randolph County." [As title indicates; sets out changes in fee schedule.] To Salaries and Fees.

HB 753 - (Randolph) Introduced by Gavin
"To amend G.S. 7-285 so as to make Article 30 of Chapter 7 relative to general county courts applicable to Randolph County." [As title indicates; cited article permits counties to establish a general county court.] To Courts and Judicial Districts.

HB 754 - (Davie) Introduced by Smoot
"Amending Section 153-77 of the General Statutes, being a part of the County Finance Act, so as to authorize issuance of bonds for county office buildings, applicable only to Davie County." [Cited section lists projects for which counties may issue bonds and notes. Adds to cited section the erection and purchase of county office buildings.] To Finance.

HB 756 - (Chatham) Introduced by Scott

"To establish a municipal recorders court in the Town of Siler City, Chatham County, State of North Carolina, under the provisions of Subchapter VI, Article 24, Chapter 7, of the General Statutes." [Authorizes town commissioners by passing resolution to establish municipal recorder court under G.S. Ch. 7, Art. 24, as modified by this bill. Amends G.S. 7-186 to make following changes: (1) Governor is to appoint recorder, to be designated Judge, for four year term, and fill vacancies, (present section provides for town governing body to elect first recorder, and fill vacancy, and thereafter recorder is elected by people); (2) recorder's salary is not to be decreased during term of office (present section prevents increase or decrease); and (3) requires fees collected to be turned over to town treasurer. Amends G.S. 7-197 to change word "city" to "town". Amends G.S. 7-203 by adding that Governor is to appoint prosecuting attorney for 4 year term. Amends G.S. 7-204 to provide that on demand for jury trial, case is to be transferred to superior court, defendant to be allowed bail as now provided for appeals and tried in superior court on grand jury indictment.] To Counties, Cities and Towns.

HB 759 - (Hyde) Introduced by Swindell

"Relating to the salaries of the clerk of superior court and register of deeds of Hyde County." [Authorizes county commissioners to raise salaries of CSC and register by up to $50 per month.] To Counties, Cities and Towns.

HB 760 - (Hyde) Introduced by Swindell

"To make G.S. 105-422 of Volume 2C of the General Statutes (Cumulative Supplement of 1951) applicable to Hyde County with reference to the enforcement of tax liens and the collection of taxes in said county." [Adds Hyde to counties (listed in section) to which provisions of section do not apply but retains effectiveness of section with regard to pending litigation. Section provides that no action for collection of taxes or enforcement of tax liens (other than liens for street or sidewalk improvements) may be instituted by any county or municipality more than ten years after date such taxes became due.] To Counties, Cities and Towns.

HB 761 - (Hyde) Introduced by Swindell

"Authorizing the clerk of the superior court of Hyde County to appoint drainage commissioners for Mattamuskeet Drainage District, Hyde County, for the purpose of making contracts for the use of the cutfall drainage canal outside said district for fire lanes, passways and roads." [Citing that Mattamuskeet Drainage District has ceased effective operation, authorizes CSC to appoint three "competent and discreet" commissioners for four year terms with power to study and submit recommendations to CSC on use of drainage canal bank for fire lane, passway and road, and to contract for such use following filing of report and confirmation of same by CSC (after hearing if exceptions are filed by any interested party), "in accordance with the order of the court." Funds collected under such contracts are to be paid to CSC; from such funds CSC is to pay to commissioners such compensation as he may allow. Commissioners are to have no powers not granted in bill. Does not affect rights of landowners to use and improve drainage canals; prohibits assessments against any landowner for improvement of canal bank for use as fire lane, passway or road; requires that any contract made by commissioners include provision insuring that any road or passway constructed on canal bank be open to public upon reasonable terms and conditions.] To Drainage.

HB 762 - (Wake) Introduced by Whitley and Pou (by request) and Womble

"To amend the procedure in the adjudication of small claims in the superior court for Wake County." [Defines small claim as action requesting only money judgment and costs where amount demanded exclusive of interest and costs shall be not more than $1,000 and where no jury trial is demanded. Requires CSC to maintain small claims docket and demand no prosecution bond but to require same advance deposit for costs as in other actions. Requires that action be transferred to regular civil docket when (1) any pleading is filed demanding affirmative relief other than money judgment not in excess of $1000, or (2) jury trial is requested by any party in first pleading. Small claims are to be tried in order calendared. All civil appeals which come within definition of small claims case are to be placed upon small claims docket unless jury trial is demanded when appeal docketed or jury trial is demanded in writing by party within 10 days of docketing appeal. Any civil action begun or appeal docketed prior to effective date of this act may be transferred to small claims docket if it meets qualifications and written request is made by attorneys of all parties involved. Priority of such transferred claims is to be determined by date of transfer.] To Judiciary 2.

HB 763 - (Wilkes) Introduced by Eller

"To increase the jurisdiction of the Mayor's court of the town of Wilkesboro." [Gives mayor "final, exclusive, original, and concurrent jurisdiction" of misdemeanors committed within corporate limits as follows: (1) carrying concealed weapons (2) gaming (3) keeping gambling houses (4) keeping bawdyhouses (5) larceny or receiving stolen goods, knowing them to be stolen, wherein value of article does not exceed $20 (6) failure to list town taxes (7) assault and battery with deadly weapon, or when serious damage done (8) fornication and adultery (9) abandonment (10) cruelty to animals (11) malicious injury to real or personal property (12) trespassing on land after being forbidden (13) forcible trespass (14) enticing servants to leave master (15) indecent exposure of person (16) selling or giving away intoxicating liquor to minor (17) all offenses against prohibition laws as contained in Ch. 71, 1908 Public Laws (Extra Session) and acts amendatory thereof (18) selling or giving away cigarettes to minor (19) obtaining advances on false pretenses (20) disposing of mortgaged property (21) retailing cocaine without a license (22) crimes against public health, as contained in 1905 Revisal, Secs. 3440 through 3458 (23) misdemeanors contained in 1905 Revisal, Ch. 81, and acts amendatory thereof, where punishment does not exceed $200 fine and 1 year imprisonment (24) all crimes which are misdemeanors under the common law where punishment is in court's discretion. All above offenses declared petty misdemeanors. Court is made court of record, town commissioner's clerk to be court clerk. Process may issue to town police or other county officers, who may serve the process anywhere in Wilkes County. When court seal (same as town seal) is placed on process, it is to be served anywhere in N.C. by all officers according to law. Persons convicted may appeal to superior court where trial is de novo. Clerk may issue any process, returnable before mayor. Mayor has jurisdiction to hold preliminary hearings in felony cases. If defendant is convicted or pleads guilty, court costs are to include in addition to costs now fixed by law: a $2 mayor's fee, to go to town treasurer and same fees to clerk as allowed CSC in similar case (except in cases in which a magistrate has final jurisdiction, when mayor's fee is $1 and clerk gets only costs for subpoenas). Fees are to be retained by officers, except mayor. Mayor has same power to punish for contempt as superior court under G.S. 5-6,7,8, and 9. Fines collected go to county treasurer. Mayor may modify orders and judgments within 10 days after announced.] To Local Government.

HB 765 - (Tyrrell) Introduced by Combs

"To provide for the appointment of members of the board of education of Tyrrell County." [Appoints Harvey Davis, Otis Cohoon and W. Charles Cohoon to board for terms of two years from first Monday in April, 1953, and until sucessors appointed and qualified.] To Education.

HB 766 - (Tyrell) Introduced by Combs

"To permit the taking of raccoons by farmers suffering agricultural injuries in Tyrrell County." [Authorizes any farmer owning or leasing for agricultural purposes any land in Tyrrell County to kill and trap raccoons without permit on such lands when serious injury to his agricultural interests has been committed by raccoons.] To Wildlife Resources.

HB 767 - (Lee) Introduced by Wicker

"To amend G.S. 115-38 relating to the nomination of members of the board of education of Lee County." [Divides county into four districts for purpose of nominating board members (#1 - Deep River, #2 - Broadway, #3 - Greenwood, and #4 - Sanford and Jonesboro), and provides that in primary election to be held in 1954, and biennially thereafter, each party is to nominate one candidate from districts 1, 2, and 3, and two from district 4. Voting is county wide but district candidate with most votes is to be district nominee.] To Education.

HB 769 - (Rutherford) Introduced by Mills

"To authorize and empower the board of education of Rutherford County to enter into a contract with the Henrietta Mills, a North Carolina corporation, to reconvey to said corporation the lands upon which the Henrietta Elementary School, the Caroleen Elementary School, and the Henrietta-Caroleen-Avondale High School buildings are located, in case said property shall be abandoned for school purposes." [As title indicates: authorizes education board to enter contract with The Henrietta Mills upon terms set out in preamble, despite provisions of G.S. 115-88 and G.S. 115-86 (providing procedure for sale of school property and prohibiting erection or repair of school buildings unless site is owned by education board). Preamble cites fact that present school building sites are owned by The Henrietta Mills, and that such corporation has offered to convey sites to board in fee simple (1) if board agrees to reconvey such property, together with any buildings thereon, for a nominal consideration (to be agreed upon between the parties) if such property is ever abandoned for school purposes; (2) if parties cannot agree upon price for buildings and fixtures within 60 days of abandonment or notice of intent thereof, and if board does not remove buildings and fixtures from such lands within four months after abandonment or notice of intent thereof, board is to reconvey (upon expiration of six months from such date) land, buildings and fixtures for $1; and (3) if board elects to remove buildings and fixtures from land before reconveying same, land is to be completely cleared and conveyed in a level and clean condition, suitable for use as improved land or erection of buildings thereon. Preamble delineates boundaries of tracts of land involved by metes and bounds.] To Counties, Cities and Towns.

HB 770 - (Rutherford) Introduced by Mills

"To fix the compensation of the members of the board of education of Rutherford County, North Carolina." [Effective July 1, 1953, fixes annual salary of education board chairman at $420 (payable monthly) and of each member of education board at $300 (payable monthly).] To Counties, Cities and Towns.

HB 771 - (Rutherford) Introduced by Mills

"To authorize the Town of Rutherfordton to impose special tax for the purpose of constructing and maintaining a sanitary sewer system or sewage disposal plant for said municipality." [Authorizes governing body to levy special tax up to 25 cents on $100 valuation for purpose of constructing and maintaining sewer system and disposal plant. Provisions of Municipal Finance Act relating to unexpended balances shall not be applicable to receipts from tax ("sewer fund"); intent of bill is to authorize accumulation of funds until sufficient amount is accumulated to carry out all or part of such project.] To Finance.

HB 772 - (Pasquotank) Introduced by Sawyer

"To provide hog cholera prevention program for Pasquotank county and to permit the sale and use of hog cholera vaccine therefor." [Authorizes county commissioners to appoint and dismiss resident and township vaccinators certified by county agent. Resident vaccinators may vaccinate own swine but may not use live

Township vaccinator may use live virus and vaccinate any hogs when requested by farmer (fee to be set by county agent). Board must permit resident vaccinators to use any hog cholera vaccine manufactured in conformity to G.S. 106-314, and must provide adequate refrigeration for vaccine. County agent is to purchase vaccine at wholesale prices and distribute it at cost plus 10¢ per 100 cc. (to be used for expenses of program). Vaccinated hogs must be isolated in pens for 21 days from date of vaccination if live virus is used. Vaccination records must be kept by township vaccinators and county agent and are to be spread on minutes of commissioners on first Monday of each Dec. Vaccinator may vaccinate at market hogs purchased and not vaccinated within time required by law. Such hogs may then be removed from market, after certification of vaccination to vaccinator, if owner violates no laws relative to hog cholera. Bill's provisions are not to prevent hog owner from vaccinating own hogs for hog cholera or qualified merchants from wholesaling or retailing anti-hog cholera serum. Exempts persons in county distributing, selling or using hog cholera vaccine under authority of bill from provisions of G.S. 106-410, G.S. 106-314 and Ch. 360, 1939 Public Laws insofar as they conflict with bill.] To Agriculture.

HB 773 - (Alamance) Introduced by Long

"To tax and regulate professional bondsmen and others in Alamance County." [Makes it unlawful to do business as professional bondsman without paying county annual license fee in maximum amount allowed under G.S. 105-41.1. Bondsman must file schedule of financial condition to be approved by CSC, who must demand security from any bondsman whose financial condition is deemed inadequate. Prohibits bondsmen from (1) soliciting business by attorney, court official, or law enforcement officer or to pay, give or lend such person anything of value for services, (2) soliciting business, directly or indirectly, in any governmental building, or (3) charging in excess of 5% of bond amount ($5 minimum permitted). No person bailed is to be surrendered while his case is pending unless bondsman returns 1/2 of charge made. Prohibits bondsmen, court officials, or law enforcement officers from recommending any attorney to any person incarcerated or bailed or to advise with respect to law or court procedure. No sheriff, policeman, constable or jailer or their wives shall give bail for pay or as agents for bondsmen or recommend any bondsman or attorney. Prohibits any attorney, court official or law enforcement officer from accepting pay from bondsmen for services rendered except fees fixed by law or in customary legal practice. Violation of act is misdemeanor, punishable by fine or imprisonment in discretion of court, and upon conviction court must suspend license of bondsman for 2 years. All bondsmen must file with CSC on or before 5th day of each month sworn report of all bonds written during previous month. Authorizes Burlington governing body or county commissioners to revoke bondsman license after hearing and upon satisfactory proof of violation, with right of appeal to superior court; if license is revoked, prohibits reissuance for 2 years. Revocation of either municipal or county license automatically revokes any other license issued to bondsman. Act does not apply to surety or bonding companies licensed by Department of Insurance.] To Finance.

HB 774 - (Alamance) Introduced by Long

"To amend Chapter 42 of the General Statutes relating to agricultural tenancies in Alamance County." [Amends G.S. 42-23 and 42-27 to make those sections apply to Alamance County. G.S. 42-23 makes farm tenancies on yearly basis run from Dec. 1 to Dec. 1 with tenant unable to complete harvest by Dec. 1 because of illness or other good cause having right to return for harvest but having no right to use houses or outbuildings or land from which crops already harvested. G.S. 42-27 makes tenant or cropper who enters into a contract for rental of land and willfully neglects or refuses to perform terms of contract without just cause forfeit right of possession to premises.] To Judiciary 1.

HB 775 - (Alamance) Introduced by Long

"To extend the time for the Alamance County board of equalization and review to complete its work in 1953." [Extends time for cited board to complete its duties to July 1, 1953.] To Finance.

HB 777 - (Alamance) Introduced by Long.

"To amend G.S. 15-102 Relating to the authority of officers to take bail and to make statute applicable to Alamance County." [As title indicates; G.S. 15-102 sets forth the officers who are authorized to take bail before imprisonment.] To Judiciary 1.

HB 778 - (Alamance) Introduced by Long

"To authorize and empower the City of Burlington to appropriate and expend moneys of the city in payment of travel expenses of its police officers in transporting or returning persons charged with crime from a point outside the corporate limits of the municipality." [As title indicates.] To Judiciary 1.

HOUSE CALENDAR ACTION

PUBLIC BILLS

SB 143 - Special trout licenses. Postponed to 3/17.
SB 180 - Controlling swine feeding. Received from Senate; sent to Agriculture.
SB 270 - Amending dentistry laws. Received from Senate; sent to Health.

HB 47 - Requiring turn signals (House committee substitute 3/4). Amended (1) to make clear bill is to apply to next automobile model or truck series change, and (2) to exclude motorcycles; passed second and third readings.
HB 86 - Maintaining school roads. Reported favorably as amended.
HB 141 - County auction license tax. Reported favorably.
HB 163 - Two-judge superior court districts, as amended in House 2/20. Passed second and third readings.
HB 199 - County commissioner personnel determination. Reported unfavorably.
HB 201 - County commissioner salary fixing. Reported unfavorably.
HB 252 - Validating sanitary districts. Reported favorably as amended.
HB 333 - Increasing contractor license fees. Reported favorably.
HB 392 - Mail carrier motor vehicle licenses. Reported favorably as amended.
HB 485 - Filling county election board vacancies. Reported favorably.
HB 498 - Depositing ballots. Reported favorably.
HB 531 - Licensing convalescent homes as hospitals. Re-referred to Health.
HB 629 - Rewording driver license suspension law. Reported favorably.
HB 686 - Multi-county rural fire protection districts. Reported favorably.
HB 693 - Appointing state board of elections. Reported favorably.

LOCAL BILLS

SB 87 - (Cabarrus) Concord officials salaries. Reported favorably.
SB 100 - (Graham) Prohibiting Cheoah trot lines. Passed second and third readings.
SB 112 - (Edgecombe) Increasing sheriff's pay. Reported favorably.
SB 116 - (Halifax) Roanoke Rapids inspection fees. Reported favorably.
SB 123 - (Johnston) Smithfield police commissioner (Senate committee substitute 2/5). Reported favorably.
SB 149 - (McDowell) Delinquent tax transfer. Reported favorably.
SB 150 - (Mc Dowell) Marion and Old Fort private land sale. Reported favorably.
SB 177 - (Alexander and Lee) Dispossessing tenants, as amended in Senate 2/25. Passed second and third readings.
SB 193 - (Wake) Rewriting Raleigh election procedures. Reported favorably.
SB 199 - (Cleveland) Revising Boiling Springs charter. Reported favorably.
SB 209 - (Sampson) Increasing county commissioners. Reported favorably.
SB 222 - (Cumberland) Tax review completion date. Reported favorably.
SB 223 - (Cumberland) Fayetteville chiefs civil service status. Reported favorably.
SB 224 - (Cumberland) Regulating taxi cabs. Reported favorably.

SB 228 - (Robeson) Maxton officials election. Reported favorably.
SB 229 - (Robeson) Lumberton firemen jury exemption. Reported favorably.
SB 238 - (Forsyth) Fixing register fees. Passed second and third readings.
SB 239 - (Forsyth) Officials salaries. Passed second and third readings.
SB 240 - (Cumberland) Adjusting unpaid taxes. Reported favorably.
SB 241 - (Cumberland) Fayetteville charter election, as amended in Senate 3/4. Reported favorably.
SB 264 - (Lee) Fixing officials salaries. Received from Senate; sent to Local Government.
SB 268 - (Madison) Hot Springs special tax. Received from Senate; sent to Local Government.

HB 130 - (Henderson) Officials salaries, as amended in Senate 3/6. Failed to concur in Senate amendment; Speaker was authorized to appoint conferees.
HB 219 - (Bladen) JP fees. Reported favorably.
HB 236 - (Bladen) Additional penalty for liquor law violation. Clarifying amendment adopted; passed second and third readings.
HB 271 - (Wake) Domestic relations court, as amended in House 2/18. Reported favorably as to committee substitute; committee substitute adopted to clarify provision concerning transfer of records from old court to new.
HB 275 - (Columbus) Tabor City bird sanctuary. Passed second and third readings.
HB 320 - (Sampson) Garland charter amendment. Reported favorably.
HB 372 - (Avery) Sheriffs pay. Reported favorably as to committee substitute; committee substitute adopted setting out detailed schedule of fees and expenses payable to sheriff and deleting as to officers other than sheriff (1) provision for payment of mileage allowance and travel expenses incurred in conveying prisoners and mental patients to and from jail, or in appearing before any court in county; and (2) prohibition against conveying more than three prisoners in same automobile at same time.
HB 412 - (Orange) Recorder court prosecutor duties. Passed second and third readings.
HB 417 - (Cherokee) Murphy power board creation. Reported favorably.
HB 438 - (Washington and Martin) Officers relief fund. Reported favorably.
HB 447 - (Guilford) Depositing county money. Reported favorably.
HB 450 - (Guilford) Officials bonds. Reported favorably.
HB 459 - (Randolph) Substitute county recorder. Amendment adopted to provide that substitute recorder's compensation be determined and paid by county commissioners (instead of paid by recorder); passed second and third readings.
HB 463 - (Wilkes) Deputy sheriff travel pay. Reported favorably.
HB 470 - (Duplin) Officials fees. Reported favorably.
HB 471 - (Duplin) CSC fees. Reported favorably.
HB 472 - (Duplin) Register fees. Reported favorably.
HB 488 - (Pitt) Ayden officials salaries. Reported favorably.
HB 490 - (Jackson) Authorizing special tax levies. Reported favorably as amended.
HB 491 - (Jackson) Authorizing commissioners to fix salaries. Reported favorably as amended.
HB 512 - (Bladen) Prohibiting carnivals. Reported favorably.
HB 516 - (Cleveland) JP fees. Reported favorably.
HB 525 - (Sampson) Officials salaries and fees. Reported favorably.
HB 539 - (Mitchell) Officials salaries. Reported favorably.
HB 540 - (Mitchell) Coroner fee and bond. Reported favorably.
HB 551 - (Johnston) Solicitor salary. Reported favorably.
HB 563 - (Camden) Bear hunting. Passed second and third readings.
HB 585 - (Johnston) Increasing Selma commissioners. Reported favorably.
HB 592 - (Guilford) High Point municipal appeals. Passed second and third readings.

HB 593 - (Gates) Fixing Gatesville limits. Reported favorably.
HB 594 - (Jackson) Education board primary election. Passed second and third readings.
HB 595 - (Jackson) Sylva election date. Reported favorably.
HB 604 - (Duplin) Calypso city hall sale. Reported favorably.
HB 605 - (Scotland) Unclaimed fee disposal. Reported favorably.
HB 606 - (Scotland) Laurinburg councilmen terms. Reported favorably.
HB 607 - (Scotland) Laurinburg-Maxton airport loans. Reported favorably.
HB 613 - (Cleveland) Lawndale charter amendment. Reported favorably.
HB 614 - (Cleveland) King's Mountain plan D election. Reported favorably.
HB 624 - (Greene) Transferring jury trials. Passed second and third readings.
HB 625 - (Greene) Repealing invalid jury trial transfer. Passed second and third readings.
HB 626 - (Greene) Designating commissioner clerk. Passed second and third readings.
HB 634 - (Halifax) Enfield court costs. Passed second and third readings.
HB 638 - (Rockingham) Validating Spray officials acts. Passed second reading.
HB 639 - (Northampton) Officials salaries. Reported favorably.
HB 640 - (Washington) Tax prepayment discounts. Reported favorably as amended.
HB 641 - (Washington) Education board terms. Passed second and third readings.
HB 642 - (Washington) Repealing constable salary. Reported favorably.
HB 644 - (Hyde) Hyde recorder salary. Reported favorably.
HB 648 - (Hyde) Officials salaries. Reported favorably.
HB 656 - (Pender) Jailer fees. Reported favorably.
HB 660 - (Martin) Fox hunting. Passed second and third readings.
HB 661 - (Martin) Bear hunting. Passed second and third readings.
HB 662 - (Robeson) Deer hunting. Passed second and third readings.
HB 663 - (Tyrrell) Sheriff bond. Reported favorably.
HB 669 - (Pitt) Ayden library and recreation aid. Passed second and third readings.
HB 674 - (Burke) Morganton retirement system withdrawal. Reported favorably as amended.
HB 675 - (Pitt) Extending Greenville limits. Passed second reading.
HB 677 - (Mecklenburg) Grand juries. Passed second and third readings.
HB 680 - (Onslow) Validating officials pay. Passed second and third readings.
HB 687 - (Rowan) Spencer property sale. Reported favorably.
HB 691 - (Polk) JP warrants and receipts. Reported favorably.
HB 692 - (Duplin) Removing tax lien limitation statute. Passed second and third readings.
HB 697 - (Pamlico) Rural fire protection. Reported favorably.
HB 699 - (Tyrrell) Columbia police county ABC jurisdiction. Reported favorably.
HB 700 - (Tyrrell) Columbia police jurisdiction extension. Reported favorably.
HB 704 - (Mitchell) Spruce Pine property sale. Passed second and third readings.
HB 705 - (Haywood) Canton church assessment debt cancellation. Passed second and third readings.
HB 709 - (Hoke) Volunteer firemen jury exemption. Passed second and third readings.
HB 720 - (Guilford) High Point election procedure. Reported favorably.
HB 721 - (Harnett) Recorder court solicitor pay. Reported favorably.
HB 723 - (Cumberland) Abolishing Cross Creek cemetery commission. Reported favorably.
HB 733 - (Surry) Pilot Mountain election. Reported favorably.
HB 738 - (Currituck) Fixing CSC and register fees. Reported favorably.
HB 739 - (Currituck) Officials salaries. Reported favorably.
HB 740 - (Chowan) Edenton warrant officers. Reported favorably.

Next session of House: 8:00 a.m., Thursday, March 12, 1953.

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INSTITUTE OF GOVERNMENT
Legislative Service

WEEKLY LEGISLATIVE SUMMARY

P. O. Box 1658 111 West Morgan St., Raleigh, N. C. March 14, 1953

NOTE: This is the ninth of a series of weekly summaries prepared by the legislative staff of the Institute of Government on the work of the North Carolina General Assembly of 1953. It is confined to discussions of matters of general interest and major importance.

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The 1953 General Assembly can take pride in its record for introducing and processing legislation promptly, but these efforts may be in vain if an early agreement cannot be reached on fiscal policy for the next biennium. Adjournment date seems no nearer and perhaps less certain than a week ago.

About 200 more bills have been introduced in the House than at this stage last session, and the Senate has kept up with its 1951 record. If the Senate's 1953 deadline on local legislation (March 10) holds firm, local legislation formerly introduced by senators in the waning weeks, conceivably either will not be introduced or will be thrown into the already burdened House (Note: the Senate suspended the rule to let in a local measure on Friday). Major floor debates in both houses this week provide the clue to faster processing of local and non-controversial legislation thus far. It takes only 30 seconds to pass a bill without debate; a contested measure may take hours and clog up the calendars.

Even if the appropriations subcommittee, appointed this week to study and make recommendations on controversial budget items, speeds up approval of the budget bill, definite action on appropriations may be necessary before the finance committee can finish its work. As the legislators went home this weekend, those reluctant to approve further tax increases hopefully waited for final revenue estimates for the next two years as based on tax collections due March 15. If estimates are increased, appropriations increases may be possible without any tax adjustments. If they are not, legislators may receive solid recommendations from the frequent conferences on budget problems being held by Gov. Umstead with his staff and legislative advisors, or they may decide to cut appropriations to fit the revenue structure rather than adjust the revenue structure to fit recommended appropriations.

Appropriations and Finance

While set up to receive the more controversial budget items for special study, the group of eight senators and 14 representatives named to the appropriations subcommittee on Wednesday may yet be as all-powerful an arbiter as its 1951 counterpart. Its role was left somewhat in doubt when the full committee refused on Tuesday to refer to the as then-unappointed subcommittee the request of the Hospitals Board of Control for an additional $2 million above Advisory Budget Commission recommendations. Wide divergence of opinion on the request developed immediately, and when a compromise was proposed on Wednesday suggesting that only $1.5 million be appropriated, it was met by a counterproposal suggesting that the Board be permitted to carry over $600,000 in unused funds. The joint committee then decided that perhaps this item should also be referred for further study. Immediate action by the subcommittee was stalled by the rain-drenched trip to Camp Lejeune on Thursday.

Proposals to revise the tax structure continue to reach the finance committees, but none suggest increases in revenues at a time when additional funds are being requested: SB 289 would permit a husband and wife living together but filing separate income tax returns to split up exemptions for dependent children as they wish; HB 758 would remove all license taxes on merchandise vending machines except that on soft drink machines; and HB 776 would require motor vehicle wholesalers to pass on to retail dealers part of the gallon tax credit granted them as an evaporation allowance.

Courts

A controversy which has been developing over how best to provide more judges for our superior courts gave rise to the most spirited floor debate of the session. Those who view redistricting as the best solution tried to postpone House vote on HB 163 (which would add one judge each to 6 critical districts) in order that it might be considered simultaneously with their bill, which had been reported favorably in the Senate. The effort was unavailing, however, as was that of Wake County representatives seeking to include their district among those to receive an additional judge; HB 163 passed the House virtually as introduced. Consideration of the Senate measure has been postponed until next week.

Motor Vehicles and Highway Safety

Even with Governor Umstead's stamp of approval, the 1953 version of a motor vehicle inspection program was quickly killed in the Senate on Friday, the first floor fatality of the General Assembly. After a brief debate between Sen. Bailey (supporting proposed annual inspections by private garages as a means of enforcing existing motor vehicle equipment laws) and Sen. Crew (calling such inspections worthless and calculated to enrich garage owners at motorists' expense), a substantial majority of the Senate in a chorus of "noes" voted down the bill. The House has passed HB 47, which would require that all new motor vehicles (next model or series) be equipped with electrical or mechanical directional turn signals before being registered in the state. As in the 1951 General Assembly, a controversy over truck weight limits may be taking shape. HB 588 has been introduced to raise the weight limits on most trucks by almost one ton on each axle, while SB 311 would fix new and enforceable penalties for such trucks caught exceeding present axle weight limits, although a 5% tolerance would be allowed. Both the proposed revision of the financial responsibility law (SB 105), designed to increase the number of insured motorists in N.C., and SB 266, envisioning a state-wide driver education program in the public schools, received favorable reports from Senate committees this week, but were re-referred to the appropriations committee for consideration of money problems involved.

Reorganization

Measures dealing with reorganization of state departments and agencies continue to come in, but action on them seems to have slowed considerably. The bill to transfer administration of the prison system from the Highway Commission to a new Department of Prisons promises to be the most controversial. Although introduced by the Governor's brother, Rep. Umstead, it is not an administration measure. Neither, according to one of its introducers, is HB 693, which would authorize the Governor to appoint new members of the State Board of Elections next May rather than in 1954 when present terms expire. The bill giving the Governor similar power over the State Personnel Council still has received no action by the original committee to which it was assigned in February. Bills providing for reorganization of the State Ports Authority and for creation of a commission to study reorganization of state government have become law. In opposition to the plan offered last week, SB 316 completely rewrites the law licensing nurses and nurse training schools in line with the recommendations of the Nurse Examining Board and Nurses Association.

Local Government

Three much-discussed home rule bills have been sifted by the House local government committee which unanimously approved a new version embodying the best features of each. County commissioners would be authorized to fix salaries and expense allowances (within budgeted appropriations) of all county officials but themselves, but no salary now set by legislative act could be lowered during the present office holder's term, nor could salaries be raised or lowered more than 20% in any one year While many legislators do not favor such a shift of power from Capitol to county, in final form the bill may apply to a substantial number of counties.

Agriculture

Proposals of major importance in agriculture would tighten controls on the sale and distribution of eggs, set up a new system for reporting harvesting information o certain crops, and regulate the sale and distribution of liquid fertilizer.

INSTITUTE OF GOVERNMENT

LEGISLATIVE SERVICE

GENERAL ASSEMBLY OF NORTH CAROLINA

BULLETIN OF LOCAL LEGISLATION

P. O. Box 1658 111 West Morgan St., Raleigh, N.C. Telephone 3-5515

WEEKLY BULLETIN

Note: Included in this Bulletin is a digest of all local legislation introduced or acted upon by the General Assembly during the week ending March 14, 1953 affecting your county or any municipality therein.

UNION COUNTY

SB 95 - Introduced by Smith, Feb. 6, (Adopting state rabies law)
March 11, ratified.

VANCE COUNTY

HB 483 - Introduced by Falkner, Feb. 26 (CSC advance fee collection)
March 11, ratified.

WARREN COUNTY

HB 457 - Introduced by Taylor Feb. 25 (Surplus bond fund disposition)
March 11, received in Senate; sent to Counties, Cities and Towns.

WAYNE COUNTY

SB 256 - Introduced by Hobgood March 4, (School building contracts)
March 11, passed Senate; March 13, received in House; sent to Counties, Cities and Towns.

HB 544 - Introduced by Kemp, March 2 (Appointing County Auditor)
March 13, passed Senate.

HB 545 - Introduced by Kemp, March 2, (Accountant serving as treasurer)
March 13, passed Senate.

YADKIN COUNTY

SB 250 - Introduced by Reavis, March 2 (Increasing officials salaries)
March 9, received in House; sent to Salaries and Fees.

SB 251 - Introduced by Reavis, March 2 (Designating county building sites)
March 11, passed Senate; March 13, received in House, sent to Local Government.

SB 252 - Introduced by Reavis, March 2 (Superior court terms)
March 9, passed Senate; March 10, received in House; sent to Judiciary 1.

SB 257 - Introduced by Reavis, March 4 (Fixing CSC and register fees)
March 11, passed Senate; March 13, received in House; sent to Salaries and Fees.

WAKE COUNTY

SB 193 - Introduced by Bailey, Feb. 25 (Rewriting Raleigh election procedures)
March 13, passed House.

SB 319 - Introduced by Bailey, March 10
"To provide for the assessment of local improvement costs against abutting property owners in certain instances without petition." [Amends Ch. 1184, Sec. 105, 1949 Session Laws as amended to add that city council may, without petition, order paving (which may include installation of necessary water and sewer mains and laterals and curbs, gutters, drains and sidewalks) of unimproved portion, less than one block in length, of continuous street if found necessary and in public interest. Cost of such improvement may be assessed against abutting property owners as if petition had been made. Council may, without petition, order sidewalk improvements (which may include curbs, gutters, drains and sewers) and assess total cost against abutting property owners under G.S. Ch. 160, Art. 9 when it is of opinion that public interest so requires. Total cost of sidewalk (including sidewalk or part of driveways in street area) repair must be assessed against abutting property owners when council is of opinion that public interest requires such repairs. Cost of sidewalk repairs is lien on property, superior to all other liens, to be collected as are property taxes with 6% interest from assessment date. Unles in council's opinion, sidewalk needs immediate repair, abutting property owner must be given 30 days written notice that city will so repair and assess unless he makes the repairs within 30 days at his own cost and in conformance with city specifications.] To Counties, Cities and Towns.

HB 271 - Introduced by Pou, Whitley and Womble, Feb. 14 (Domestic relations court)
March 11, Committee substitute adopted in House to clarify provision concerning transfer of records from old court to new. March 13, postponed in House to 3/17.

HB 370 - Introduced by Womble, Whitley and Pou, Feb. 20 (Redefining Garner limits)
March 10, ratified.

HB 493 - Introduced by Whitley, Feb. 27 (Wendell primary and town manager)
March 11, passed Senate.

HB 532 - Introduced by Womble, Feb. 28 (Cary officials elections.)
March 14, Reported favorably as amended by Senate Committee.

HB 534 - Introduced by Womble and Pou, Feb. 28 (Increasing weeks of superior court)
March 13, passed Senate.

HB 762 - Introduced by Whitley and Pou (by request) and Womble, March 11
"To amend the procedure in the adjudication of small claims in the superio court for Wake County." [Defines small claim as action requesting only money judgment and costs where amount demanded exclusive of interst and costs shall be not more than $1,000 and where no jury trial is demanded. Requires CSC to maintain small claims docket and demand no prosecution bond but to require same advance deposit for costs as in other actions. Requires that action be transferred to regula civil docket when (1) any pleading is filed demanding affirmative relief other tha money judgment or money over $1,000, or (2) jury trial is requested by any party in first pleading. Small claims are to be tried in order calendared. All civil appeals which come within definition of small claims case are to be placed upon small claims docket unless jury trial is demanded when appeal docketed or jury tria is demanded in writing by party within 10 days of docketing appeal. Any civil action begun or appeal docketed prior to effective date of this act may be transferred to small claims docket if it meets qualifications and written request is made by attorneys of all parties involved. Priority of such transferred claims is to be determined by date of transfer.] To Judiciary 2.

INSTITUTE OF GOVERNMENT

LEGISLATIVE SERVICE

GENERAL ASSEMBLY OF NORTH CAROLINA

DAILY BULLETIN

P. O. Box 1658 111 West Morgan St., Raleigh, N. C. Telephone 3-5515

BULLETIN NO. 49
Friday, March 13, 1953

NOTE

Since the Senate and House met on March 12 for the reading of notices only, no bulletin was issued for that session.

Session: Senate -- 10:00 a.m.

PUBLIC BILLS INTRODUCED -- SENATE

SB 325 - Introduced by Royster

"Amending G.S. 20-116(a) so as to permit a tolerance of five inches in the width of the load of a motor vehicle when transporting hogsheads of tobacco." [Amends G.S. 20-116(a), regulating the size of vehicles and loads, to allow a 5-in. tolerance in total outside width of vehicles or loads when tobacco hogsheads are being transported.] To Public Roads.

SB 326 - Introduced by Graves

"To amend the Revenue Bond Act of 1938."[Amends G.S. 160-414(a) to broaden definition of "municipality" to include any political subdivision or public corporation of State. Adds G.S. 160-414(e) to define "airport" to include normal operating facilities and "every structure, improvement, device or facility desirable or useful in connection therewith." Amends G.S. 160-415(f) to specify that present authority to lease undertaking financed by revenue bonds includes authority to extend or renew such lease. Adds G.S. 160-415(h) to grant municipalities authority to sell and grant options to purchase all or part of such undertaking (subject to disposal restrictions contained in the undertaking's bond resolution), but no sale may impair revenue bond obligations. Amends G.S. 160-419 to require municipalities selling such undertaking to apply sale proceeds to payment of cost of sale and principal and interest of any of the undertaking's bonds then outstanding (or proceeds may be paid into sinking fund for payment of the bonds).] To Finance.

LOCAL BILLS INTRODUCED -- SENATE

SB 324 - (Madison) Introduced by Edney

"To limit absentee voting in general elections in Madison County to those persons who are sick and physically unable to go to the polls and to those persons who are in the military or naval services of the United States." [Rewrites G.S. 163-54 as it applies to Madison County to delete provision for absentee voting in general elections by qualified voter who finds he will be absent from county in which entitled to vote on election day. Does not repeal or modify G.S. Ch. 163, Art. 11A (which provides for absentee registration and voting in general elections by persons in military or naval service).] To Election Laws and Senatorial Districts.

SENATE CALENDAR ACTION

PUBLIC BILLS

SB 183 - Vehicle inspection law. Amended to provide that headlights are not required when headlights are rendered inoperable and owner certifies vehicle will not be operated on public roads from 1/2 hour after sunset to 1/2 hour before sunrise; failed to pass second reading.
SB 218 - Authorizing revenue refunding bonds. Passed second reading.
SB 219 - Extending issuance time for local bonds. Passed second reading.
SB 255 - Municipal Control Board incorporations. Passed third reading.
SR 269 - (Joint Resolution) Coltrane pay. Reported favorably.
SB 273 - Creating Historic Sites Commission. Reported favorably.
SB 278 - Filing workmen's compensation claims. Passed second and third readings.
SB 280 - Establishing public libraries. Passed third reading.
SB 283 - Increasing judicial and solicitorial districts. Postponed to 3/17.
SB 293 - Establishing school in neighboring unit. Passed third reading.

HB 296 - First plane flight celebration commission. Reported favorably.
HB 517 - Headlight dimming. Reported unfavorably.
HB 520 - Vehicle front red lights. Reported favorably.
HB 521 - Easing license requirements for minors. Reported favorably.
HB 522 - Permitting driving instruction at night. Reported favorably.

LOCAL BILLS

SB 230 - (Robeson) Creating Maxton school unit, as amended in Senate 3/11. Passed third reading.
SB 277 - (Beaufort) Abolishing jury trials. Passed second and third readings.
SB 288 - (McDowell) Regulating bondsmen. Passed third reading.
SB 296 - (Johnston) Micro school bonds. Passed third reading.
SB 297 - (Johnston) Wilson Mills school bonds. Passed third reading.
SB 300 - (Mecklenburg) Continuous election registration. Passed second and third readings.
SB 301 - (Mecklenburg) Charlotte park commission election. Passed second and third readings.
SB 304 - (Person) Artificial breeders appropriation. Passed second and third readings.
SB 305 - (Cumberland) Fayetteville civic center bond election. Passed second reading; re-referred to Counties, Cities and Towns.
SB 306 - (Cumberland) Revoking Bonnie Doone charter. Passed second reading.
SB 307 - (Cumberland) Fayetteville promotion expenditure. Passed second reading.
SB 308 - (Cumberland) Designating ward lines as precinct lines. Passed second and third readings.
SB 309 - (Halifax) Recorder court special sessions. Passed second and third readings
SB 310 - (Edgecombe) Tarboro-county public library. Passed second reading.
SB 312 - (Pitt) Constable fees. Passed second and third readings.
SB 318 - (Rowan) Public drunkenness penalty. Passed second and third readings.

HB 92 - (Yancey) Burnsville pool room limitation. Amended to make bill effective July 1, 1953; passed second and third readings.
HB 130 - (Henderson) Officials salaries, as amended in Senate 3/6. House requested appointment of Senate conferees; conferees to be appointed at later date.
HB 209 - (Columbus) Repealing 1951 recorder court law. Passed second and third readings.
HB 258 - (Johnston) Firemen jury duty exemption. Passed second and third readings.
HB 275 - (Columbus) Tabor City bird sanctuary. Received from House; sent to Wildlife.
HB 305 - (New Hanover) Private sale of Wilmington property. Passed second and third readings.
HB 311 - (Moore) Volunteer firemen jury exemption, as amended in House 3/3. Passed second and third readings.

HB 324 - (Granville) Oxford police jurisdiction extension. Passed second and third readings.

HB 330 - (Buncombe) Biltmore Forest bus subsidy. Passed second reading.

HB 338 - (Stokes) Records destruction, as amended in House 2/26. Passed second and third readings.

HB 341 - (Buncombe, Catawba, Lenoir, Mecklenburg, Perquimans, and Rowan) Requiring signature for CSC acceptance, as amended in House 3/6. Received from House; sent to Judiciary 2.

HB 373 - (Henderson) Hendersonville hospital property transfer. Passed second and third readings.

HB 394 - (Macon) Fire protection aid, as amended in House 3/6. Passed second and third readings.

HB 412 - (Orange) Recorder court prosecutor duties. Received from House; sent to Courts and Judicial Districts.

HB 430 - (Dare) Community center property transfer. Passed second and third readings.

HB 445 - (Nash) Prohibiting palmistry. Passed second and third readings.

HB 452 - (Guilford) Waiving county governmental immunity. Passed second and third readings.

HB 458 - (Greene) Requiring 1953 revaluation. Passed second and third readings.

HB 464 - (Carteret) Extending Morehead City assessment due date. Passed second and third readings.

HB 475 - (Cumberland) Linden commissioners election. Passed second and third readings.

HB 497 - (Guilford) Guilford-High Point governmental building. Passed second reading.

HB 513 - (Franklin) Franklinton mayor court jury trials. Passed second and third readings.

HB 526 - (Chatham) Delinquent taxes to general fund. Passed second and third readings.

HB 534 - (Wake) Increasing weeks of superior court. Passed second and third readings.

HB 535 - (Johnston) Grand jury terms. Passed second and third readings.

HB 537 - (Cherokee) Volunteer firemen jury exemption. Passed second and third readings.

HB 538 - (Cherokee) County auditor assistant. Passed second and third readings.

HB 542 - (Franklin) Recorder salary. Passed second and third readings.

HB 544 - (Wayne) Appointing county auditor. Passed second and third readings.

HB 545 - (Wayne) Accountant serving as treasurer. Passed second and third readings.

HB 548 - (Polk) Delinquent tax transfer. Passed second and third readings.

HB 559 - (Alamance) Constable and sheriff fees. Passed second and third readings.

HB 563 - (Camden) Bear hunting. Received from House; sent to Wildlife.

HB 578 - (Onslow) Jacksonville voting wards. Received from House; placed on calendar; passed second and third readings.

HB 581 - (Halifax) Extending Scotland Neck limits. Passed second reading.

HB 590 - (Guilford) Reassessing in non-quadrennial years. Passed second and third readings.

HB 591 - (Guilford) Assistant CSCs. Passed second and third readings.

HB 592 - (Guilford) High Point municipal appeals. Received from House; sent to Courts and Judicial Districts.

HB 594 - (Jackson) Education board primary election. Received from House; sent to Education.

HB 624 - (Greene) Transferring jury trials. Received from House; sent to Courts and Judicial Districts.

HB 625 - (Greene) Repealing invalid jury trial transfer. Received from House; sent to Courts and Judicial Districts.

HB 626 - (Greene) Designating commissioner clerk. Received from House; sent to Judiciary 2.

HB 634 - (Halifax) Enfield court costs. Received from House; sent to Courts and Judicial Districts.

HB 641 - (Washington) Education board terms. Received from House; sent to Education.

HB 660 - (Martin) Fox hunting. Received from House; sent to Wildlife.

HB 661 - (Martin) Bear hunting. Received from House; sent to Wildlife.
HB 662 - (Robeson) Deer hunting. Received from House; sent to Wildlife.
HB 669 - (Pitt) Ayden library and recreation aid. Received from House; sent to Judiciary 2.
HB 677 - (Mecklenburg) Grand juries. Received from House; sent to Courts and Judicial Districts.
HB 680 - (Onslow) Validating officials pay. Received from House; sent to Judiciary 2.
HB 692 - (Duplin) Removing tax lien limitation statute. Received from House; sent to Judiciary 2.
HB 704 - (Mitchell) Spruce Pine property sale. Received from House; sent to Counties, Cities and Towns.
HB 705 - (Haywood) Canton church assessment debt collection. Received from House; sent to Finance.
HB 709 - (Hoke) Volunteer firemen jury exemption. Received from House; sent to Courts and Judicial Districts.

Next session of Senate: For consideration of local bills only, 9:30 a.m., Saturday, March 14, 1953.

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BULLETIN NO. 49
Friday, March 13, 1953

NOTE

Since the Senate and the House met on March 11 for the reading of notices only, no bulletin was issued for that session.

Session: House -- 11:00 a.m.

PUBLIC BILLS INTRODUCED -- HOUSE

HB 781 - Introduced by Whitmire

"To amend Section 47-26 of the General Statutes of North Carolina relating to deeds of gift." [Amends G.S. 47-26 to make all deeds of gift not registered within two years of making voidable rather than void. Adds section making such deeds good against grantor and others claiming through him although not registered within two years unless action to void is begun within one year of "registration", except that as against anyone in possession of real estate under deeds executed heretofore, no entry is to be made or action sustained by the grantor or others claiming through him except within one year after ratification of this act.] To Judiciary 1.

HB 782 - Introduced by Murphy

"Directing the Wildlife Resources Commission to pay to Pender County certain moneys in lieu of taxes on all lands owned by the State of North Carolina or the Wildlife Resources Commission and used for the purposes of game reserves." [As title indicates. Amounts to be paid are to be determined by tax value of lands adjoining reserves. General law is to apply as to protesting and contesting amounts determined.] To Counties, Cities and Towns.

HB 785 - Introduced by Hewlett

"To provide for the medical care of the indigent sick and afflicted poor." [Authorizes board of commissioners of any county with 60,000 population or more and city within its borders with 45,000 population or more and the governing body of such city to provide, separately or jointly, for hospitalization and medical care of indigent sick and afflicted poor of such county or city by (1) contracting with public, quasi-public, private or joint municipal hospitals; (2) appropriating and paying to such hospitals amounts necessary under contract or appropriating and paying to such hospitals for cases certified to hospitals but not covered by contract; and (3) levying a special ad valorem tax to pay for such appropriations. Appropriations made and special taxes collected are declared to be for necessary expenses and for a special purpose within the N. C. Constitution. Expenditures and contracts under act are to be binding without vote of majority of voters of county and are excepted from limitations of county fiscal control act. Full faith and credit of counties is pledged for payment of expense incurred under act.] To Finance.

HB 786 - Introduced by Uzzell

"Amending G.S. 1-89 and G.S. 1-95 by increasing from ten to thirty days the time within which the summons in civil actions must be served." [As title indicates.] To Judiciary 2.

HB 792 - Introduced by O'Hanlon and Fisher of Cumberland

"To appropriate two thousand dollars to the Fayetteville Independent Light Infantry to help defray the cost of the celebration of the one hundred sixtieth anniversary of the establishment of this military organization." [Citing long military history of Fayetteville Independent Light Infantry Company, appropriates $2,000 to be used by the organization in celebrating its 160th anniversary. Repeals Sec. 3, Ch. 428, 1909 Public Laws, providing that the organization should receive annually an amount equal to that received by a National Guard company (preamble states that this amount has not been paid since 1918).] To Appropriations.

HB 794 - Introduced by Uzzell

"To amend G.S. 109-4 relating to the payment of premiums on bonds of county officers and employees." [Empowers county commissioners to pay premiums on bonds of all county officers required to be bonded by G.S. 109-3 (power now limited to bonds for officers with set or fixed salaries), to require individual or blanket bonds for assistants employed in offices of said officers to be conditioned upon faithful performance of duties, and to pay premiums on any such bond or blanket bonds required.] To Judiciary 2.

HB 796 - Introduced by Allen of Granville and others

"To regulate the sale and distribution of eggs in North Carolina." [Effective July 1, 1953, repeals G.S. Ch. 106, Art. 25 relating to marketing and branding of eggs and substitutes new N. C. Egg Law. Requires wholesalers (defined as persons who offer for sale or distribute eggs to retailer, establishment serving eggs to public, or institutional user) and persons distributing eggs to own retail outlets or stores to obtain from agriculture commissioner a certificate to engage in selling or distributing eggs. Certificate is issued, and every June 30th must be renewed, without cost. Imposes inspection fee of 1¢ per 15 dozen eggs sold or distributed by persons required to have certificates, to be collected by Agriculture Department for defraying expense of administration of the Egg Law. Board may reduce fee if expense of article justifies. (Persons having egg grading agreements with Department must be given credit for administrative fees paid to Department for supervision of grading program.) Method of collecting fee is to be prescribed by Board of Agriculture, but certificate holder may obtain from commissioner a permit to report under oath the number of eggs he sells and pay fee on basis thereof, provided he deposits cash or bond guaranteeing performance and if commissioner is satisfied of accuracy of person's bookkeeping system and has person's permission to examine records. Reports and payments are due monthly under this system and permits may be revoked for stated causes. Certificate holder need not pay inspection fee on eggs delivered to another certificate holder if eggs are accompanied by proper invoice. Board must establish standards of quality, grades, and weight classes for eggs sold in the state, and persons, including producers, may grade eggs according to grades and classes adopted. Makes it unlawful (1) for person required to have certificate, in selling eggs to retailer, cafe or institutional user, to fail to furnish invoice to buyer showing name and address of seller and quality, grade and weight class of eggs, and to keep copies for inspection of Department; (2) to sell or possess for sale packages of eggs without such information being clearly marked thereon, (except where eggs are in transaction between two certificate holders); (3) to offer eggs for sale at retail in open containers without clearly displaying designation of correct grade and weight class (except where eggs were obtained directly from producers); (4) to advertise eggs by giving price without also giving grade and size classification; (5) to use words "North Carolina" in advertisement of eggs not produced in this state; (6) to use words indicating eggs are fresh when they do not conform to definition of fresh eggs in bill; (7) to sell, offer for sale, or have in possession for sale, inedible eggs as defined by Board rule, or eggs for human consumption if package or advertising carries false or misleading statement about the eggs. Ungraded eggs may be sold if clearly marked as ungraded (provided that other requirements of bill are met, and that in case producer places eggs in cartons marked with his name and address, retailer who purchases them directly may sell them at retail without designating grade or size). Authorizes commissioner to enter places of business during business hours where eggs are sold, and to stop and inspect vehicles transporting eggs for sale, and inspect for law violations. Commissioner may issue stop sale notices or orders against owner or custodian of eggs sold or held for sale in violation of law, and if no release is ordered on assertion by owner or custodian that law is not violated, superior court judge may be asked to dissolve commissioner's order. Judge may grant or refuse dissolution as justice may require.

Bill does not apply to producers (defined as persons selling no eggs other than those produced in own flock), persons buying or selling eggs for hatching, or eggs while in interstate commerce. Violations of bill, or Board rules promulgated thereunder, made misdemeanor punishable by fine up to $50 or imprisonment up to 30 days.] To Health.

HB 797 - Introduced by Allen of Granville and Falkner

"To amend G.S. 7-166 to provide for the issuance of transcripts of judgments from justices of the peace in subsequent terms of office and upon the vacating of office or the failure to re-qualify." [Amends cited section to permit a JP to issue a transcript of a judgment rendered by him during a prior term of office, if the transcript is issued within one year of the judgment. Provides that if a JP dies, vacates office, fails to qualify, becomes insane, or otherwise becomes incapable to perform his duties within one year of rendering a judgment, any other JP in county may issue a transcript of such judgment from docket or if found among papers of JP rendering judgment, or request of party in whose favor judgment was rendered.] To Judiciary 2.

HB 800 - Introduced by Greene

"To amend the provisions of the motor vehicle laws with reference to the penalty for a bad check." [Rewrites G.S. 20-178 to clarify language and to provide that no additional tax shall be imposed as a penalty where a check in payment of a motor vehicle tax or fee is returned for insufficient funds, if at time check was presented, drawer had on deposit in any bank in state sufficient funds to pay check and by inadvertence failed to draw check on such bank or on proper account therein.] To Finance.

HB 801 - Introduced by Perkins and others

"To require notice of hearing upon a petition to increase the rates of a public utility." [Amends G.S. 62-25 to provide that when a telephone, gas, water, or electric power or light company petitions Utilities Commission for authority to increase its rates, the Commission shall set date and place for a hearing on such petition. Requires each such company to give notice of date, place and purpose of hearing to each of its customers by enclosing notice with company's bill for each of two months immediately preceding date of hearing. Prohibits Commission from approving petition unless company proves to Commission's satisfaction that notice requirements have been met.] To Public Utilities.

LOCAL BILLS INTRODUCED -- HOUSE

HB 780 - (Henderson) Introduced by Whitmire

"To regulate and control the making of bonds in criminal cases by professional bondsmen in Henderson County." [Regulates making and furnishing of appearance bonds for defendants in crmminal actions in Henderson County courts as follows: (1) requires deposit of not less than $2,500 in cash with CSC before, and so long as, person engages in bonding activities in county; (2) provides that total amount of bonds executed and outstanding may never exceed six times the amount deposited with CSC; and (3) requires filing of sworn statement with CSC showing names of defendants bondsman has become bailed for, amount of each bond, courts where bonds are filed, and all judgments absolute against bondsman. Directs CSC to use deposit of any bondsman to pay any judgment and/or sci fa costs rendered in Henderson County courts against such bondsman, if the judgment and/or costs remain unpaid 90 days from date of docketing. Does not apply to any bonding company licensed by the commissioner of insurance.] To Judiciary 1.

HB 783 - (New Hanover) Introduced by Hewlett

"To amend Chapter 364 of the Public-Local Laws of 1941, relative to the consolidated board of health of New Hanover County and the City of Wilmington." [Amends Sec. 1 of cited chapter to change contributions toward payment of salaries and expenses of consolidated county-city health department as follows: city, which now pays two-thirds, is to pay one-third; county, which now pays one-third, is to pay two-thirds. Effective July 1, 1953.] To Judiciary 1.

HB 784 - (New Hanover) Introduced by Hewlett

"Relative to the division of liquor profits in New Hanover County." [Amends Sec. 1, Ch. 471, 1937 Public-Local Laws, to provide that profits from county ABC stores located in incorporated area of City of Wilmington are to be split between city and county on a 50-50 basis (profits now go two-thirds to city and one-third to county). Effective July 1, 1953.] To Counties, Cities and Towns.

HB 787 - (Person) Introduced by Satterfield

"To amend Chapter 194 of the Session Laws of 1949 relating to fees of justices of the peace in Person County." [Amends Sec. 1 of cited chapter to raise fees to be charged by JP for trial when no issues are joined, from $1.50 to $2, and when issues are joined, from $1.50 to $3; to set witness fees in JP courts at $1; and to provide 10¢ per mile travel allowance for JP serving outside county in which he resides and for witnesses going to and returning from JP courts.] To Salaries and Fees.

HB 788 - (Tyrrell) Introduced by Combs

"Authorizing the board of commissioners of Tyrrell County to regulate and fix the fees to be charged and collected by the clerk of the superior court and the register of deeds of Tyrrell County." [As title indicates.] To Salaries and Fees.

HB 789 - (Tyrrell) Introduced by Combs

"Authorizing the commissioners of Tyrrell County to compensate the sheriff of said county for office supplies and other incidentals." [As title indicates; limits amount to $300 per year. Repeals conflicting provision of Ch. 991, 1945 Session Laws.] To Salaries and Fees.

HB 790 - (Craven, Lenoir, Pamlico, Carteret, and Duplin) Introduced by Whitehurst and others.

"To regulate the hunting of deer in certain counties." [Forbids hunting, taking, or killing deer (and attempts) on or from any public highway with firearms, dogs or otherwise except where the person hunting or attempting to hunt owns, leases, or has written permission to hunt on land abutting both sides of such public highway for distance of 500 yards in each direction from spot where hunting or attempting to hunt takes place. Violation is misdemeanor punishable by fine of from $10 to $50 or 30 days imprisonment.] To Wildlife.Resources.

HB 791 - (Dare) Introduced by Etheridge

"To amend Article 2 of Chapter 67 of Volume 2B of the General Statutes relating to the dog law in Dare County." [Amends G.S. 67-13 (which provides that dog tax money shall be paid into school fund and that county commissioners shall appoint three freeholders to ascertain amount of damage from wild dogs in any case complained of and pay amount set from dog tax money) so that (1) all dog tax money in Dare County shall be paid into a special fund to be used exclusively for elimination of wild dogs and paying damage claims determined by above procedure, (2) claims which fund is insufficient to pay shall be postponed and paid from dog taxes for following year according to priority of date of award. Provides that any unlicensed dog (1) pursuing or following the track of any small game or protected bird during closed season or (2) killing, engaging in act of killing or pursuing any chickens, turkeys, any other domestic fowls, rabbits, squirrels, or any other small game is declared a public nuisance and may be killed by the owner or lessee of the land on which it is found or by any officer of the state whose duty it is to protect wild game. Repeals Ch. 155, 1939 Public Laws.] To Propositions and Grievances.

HB 793 - (Davie) Introduced by Smoot

"To authorize the expenditure of surplus funds of Davie County for the purpose of constructing a health center and county office building for said county." [As title indicates, authorizes expenditure of surplus remaining in the general fund at end of fiscal year ending June 30, 1953, providing surplus is not necessary for "proper current operation" of fund. Declares expenditure necessary expense of county.] To Local Government.

HB 795 - (Pasquotank) Introduced by Sawyer

"To impose a license tax on dog kennels kept, maintained and operated in Pasquotank County." [Imposes license tax of from $7.50 to $25 (fixed by county commissioners) on all dog kennels operated in said county, to be due and payable October 1 of each year and to be listed and collected by the sheriff or tax collector in the same general manner as provided for dog taxes under Art. 2, Ch. 67 of General Statutes.] To Finance.

HB 798 - (Pitt) Introduced by Worthington

"To amend Section one, Chapter 171 Private Laws of 1911; Chapter 228, Private Laws of 1921, and Chapter 97 Private Laws of 1927 relating to the corporate limits of the Town of Bethel in Pitt County." [Redefines Bethel corporate limits.] To Counties, Cities and Towns.

HB 799 - (Harnett) Introduced by Gregory

"To exempt certain volunteer firemen in the unincorporated Town of Erwin from jury duty." [Effective July 1, 1953, empowers CSC of Harnett County to excuse from jury duty any person whose name appears upon a list of active volunteer firemen in good standing with own fire department and N.C. Firemen's Association, to be submitted by fire chief of unincorporated Town of Erwin on first day of January and July of each year.] To Judiciary 2.

HB 802 - (Durham) Introduced by Sanders and Barker

"To amend Chapter 1007 of the Session Laws of 1951 relating to vocational training in building trades." [Makes applicable to Durham County provisions of G.S. Ch. 115, Art. 36A, which authorize local school administrative units to use tax funds, or other funds available, to provide facilities and make possible vacational training in building trades.] To Education.

HB 803 - (Guilford) Introduced by Turner, Crissman, Shreve and Hunt

"To amend Chapter 160 and Chapter 163 of the General Statutes of North Carolina and to cancel certain existing municipal registration in Guilford County and to provide for the use of the Guilford County registration in future municipal elections and also to transfer registration in future municipal elections and also to transfer registration from municipal authorities to the Guilford County board of elections." [Voids all existing municipal registrations in Greensboro, Jamestown, and Hamilton Lakes and enacts new elections procedure applicable to all municipal elections in these municipalities except bond elections which municipality decides to conduct under Municipal Finance Act or general law, or to any primary registration or general or special election which municipality shall determine to hold under general law (registration for any such election to constitute a special registration for such election). Grants to county board of elections sole authority to register electors and to create and define precincts and polling places "within Guilford County, including the precincts within the City of Greensboro, the Town of Hamilton Lakes and the Town of Jamestown." All precincts in municipalities must be wholly within corporate boundaries. Provides that county registration in effect in each municipality for 1952 general election, as corrected or deleted by county board of elections, is to be sole official registration for all municipal elections in named municipalities. Every person registered on official records of county board may vote in respective municipal elections if such registration was made at least 14 days prior to municipal primary or special election (person moving into city must continue to have four months residence to qualify). Prior to any municipal primary preceding a general municipal election or prior to special election, municipal governing body may require county board to open registration at each precinct polling place in municipality at times deemed necessary by municipal governing body (not later than 14 days prior to primary or special election date), cost of such registration to be paid by municipality. Abolishes challenge day and requires challenges to be made to and heard by county board as provided in G.S. 163-79.1, except that municipal registrar and judges of election may decide challenge made on day of election, decision to affect right to vote at time challenged only. Requires county board to certify precinct registration books of municipal precincts to municipalities not less than two days prior to any municipal election and requires return of books to county board in as good condition as when delivered no later than five days after official canvass of such election (municipality holds books from primary to general election). Corrections of registration books may be made by county board at any time, including day of election. All expenses of taking, processing and keeping official registration in precincts wholly within municipalities are to be borne equally by county and municipalities, municipal payment to be (1) 7 1/2 cents per name for each person registered in municipal precinct, (2) 3 cents per name for each name transferred to a municipal precinct, and (3) 1 cent for each name deleted from official registration as permitted by G.S. 163-31.2. Conflicting provisions of Ch. 37, 1923 Private Laws, and all of Ch. 668, 1949 Session Laws, are repealed. Effective July 1, 1953. (All statutory references are to changes proposed in HB 708, introduced March 9.)] To Counties, Cities and Towns.

HB 804 - (Greensboro) Introduced by Turner, Crissman, Hunt and Shreve
"To amend Chapter 37, Private Laws of 1923, as amended, relating to the corporate limits of the City of Greensboro." [Amends Sec. 2(a) of cited chapter to alter corporate limits so as to exclude certain described territory and provide that such territory has same status it had immediately prior to annexation on April 14, 1949.] To Counties, Cities and Towns.

HB 805 - (Cumberland) Introduced by Fisher and O'Hanlon
"Authorizing the board of county commissioners of Cumberland County to regulate the operation of loud speakers and the showing of motion pictures on Sunday in Cumberland County." [Authorizes county commissioners to regulate, control and prohibit operation, outside of incorporated municipalities, of, (1) sound amplifying devices in or outside of drive-ins, restaurants, service stations, or other places of business, (2) motion picture show or theater where movies are publicly shown, indoors or outdoors, for compensation (authority applys only from 10:00 a.m. to 1:00 p.m. and 6:00 p.m. to 9:00 p.m. on Sunday). Violation of resolution or ordinance adopted under this authority constitutes misdemeanor punishable by fine up to $50 or imprisonment in courts discretion.] To Local Government.

HOUSE CALENDAR ACTION

PUBLIC BILLS

SB 99 - Defining wild boar. Passed second and third readings.
SB 107 - Closing woodlands to prevent forest fires. Passed second and third readings.
SB 207 - Organizing Junior Historian movement. Received from Senate; sent to libraries.
SB 220 - Leased vehicle licensing procedure. Received from Senate; sent to Public Utilities.
SB 272 - Handling Tryon Palace gifts. Received from Senate; sent to Judiciary 1.
SB 281 - Reorganizing State Library Commission. Received from Senate; sent to Libraries.

HB 30 - Operator's license re-examination change. Reported favorably.
HB 86 - Maintaining school roads. Amended (1) to eliminate requirement that school roads be maintained on equal basis, (2) to eliminate authority in SH&PWC to acquire rights-of-way for such purpose, and (3) to make clear that section applies only to public schools; passed second and third readings.
HB 141 - County auction license tax. Passed second reading.
HB 233 - Private pond fishing privileges. Passed second and third readings.
HB 252 - Validating sanitary districts. Clarifying amendment adopted; amendment declared material for purposes of roll call reading; placed on calendar for second reading.
HB 280 - County personnel home rule. Reported favorably as to committee substitute; committee substitute adopted clarifying language and providing (1) that commissioners may not fix own salaries, (2) that salaries may be fixed either in separate resolution (provided proper provision for payment is included in annual appropriation resolution), or in annual appropriation resolution, (3) that provisions of bill do not diminish salary fixing authority of commissioners under G.S. 153-218 and 153-226 (managers and employees of houses of correction), and G.S. 155-8 (county treasurer).

HB 312 - CSC execution issuance. Amended to provide that CSC must issue executions on judgments rendered on forfeiture of bonds in criminal cases within six weeks without request or rendition of fees; passed second and third readings.

HB 343 - Renaming N.C. Missionary Convention. Passed second and third readings.
HB 390 - Custody determination in alimony actions. Postponed to 3/17.
HB 392 - Mail carrier vehicle licenses. Amended to remove time limitation on mail carrying contracts for purposes of exemption provision in definition of "for hire" vehicles; passed second and third readings.

HB 399 - C & D director appointment and duties. Postponed to 3/17.
HB 485 - Filling county election board vacancies. Clarifying amendment adopted; passed second and third readings.
HB 494 - Negro graduate study grants. Passed second and third readings.
HB 498 - Depositing ballots. Passed second and third readings.
HB 552 - Uniform insurance deposit law. Reported favorably as amended.
HB 629 - Rewording driver license suspension law. Passed second and third readings.
HB 643 - Postponing C&D regulation effect. Passed second and third readings.
HB 686 - Multi-county rural fire protection districts. Passed second reading.
HB 693 - Appointing State Board of Elections. Postponed to 3/16.
HB 702 - Amending liability insurance definition. Reported favorably.

LOCAL BILLS

SB 87 - (Cabarrus) Concord officials salaries. Passed second and third readings.
SB 112 - (Edgecombe) Increasing sheriffs pay. Passed second and third readings.
SB 116 - (Halifax) Roanoke Rapids inspection fees. Passed second reading.
SB 123 - (Johnston) Smithfield police commissioner (Senate committee substitute 2/25). Passed second and third readings.
SB 149 - (McDowell) Delinquent tax transfer. Passed second and third readings.
SB 150 - (McDowell) Marion and Old Fort private land sales. Passed second and third readings.
SB 193 - (Wake) Rewriting Raleigh election procedures. Passed second and third readings.
SB 199 - (Cleveland) Revising Boiling Springs charter. Passed second reading.
SB 209 - (Sampson) Increasing county commissioners. Passed second and third readings.
SB 214 - (Buncombe) Asheville school board terms. Received from Senate; sent to Education.
SB 222 - (Cumberland) Tax review completion date. Passed second and third readings.
SB 223 - (Cumberland) Fayetteville chiefs civil service status. Passed second and third readings.

SB 224 - (Cumberland) Regulating taxicabs. Passed second and third readings.
SB 228 - (Robeson) Maxton officials election. Passed second and third readings.
SB 229 - (Robeson) Lumberton firemen jury exemption. Passed second and third readings.
SB 240 - (Cumberland) Adjusting unpaid taxes. Passed second and third readings.
SB 241 - (Cumberland) Fayetteville charter election, as amended in Senate 3/4. Passed second and third readings.
SB 244 - (Polk and Stokes) Walnut Cove-Columbus interest refunds. Returned to Senate at Senate's request.
SB 251 - (Yadkin) Designating county building cites. Received from Senate; sent to Local Government.
SB 254 - (Franklin) Firemen's Fair dates. Received from Senate; sent to Counties, Cities and Towns.
SB 256 - (Franklin and Wayne) School building contracts. Received from Senate; sent to Counties, Cities and Towns.
SB 257 - (Yadkin and Forsyth) Fixing CSC and register fees. Received from Senate; sent to Salaries and Fees.
SB 282 - (Forsyth) Prohibiting trash disposal along highways. Received from Senate; sent to Counties, Cities and Towns.
SB 284 - (Scotland) Public drunkenness. Received from Senate; sent to Judiciary 2.
SB 285 - (McDowell) Marion elections. Received from Senate; sent to Local Government.
SB 287 - (McDowell) Old Fort elections. Received from Senate; sent to Local Government.
SB 290 - (Graham) Deputy sheriff. Received from Senate; sent to Local Government.
SB 295 - (Johnston) Education board tax expenditure. Received from Senate; sent to Local Government.

HB 219 - (Bladen) JP fees. Passed second and third readings.
HB 271 - (Wake) Domestic relation court, as amended in House 2/18 (House committee substitute 3/11). Postponed to 3/17.
HB 320 - (Sampson) Garland charter amendment. Passed second reading.
HB 363 - (Hertford) Deer hunting. Passed second and third readings.
HB 372 - (Avery) Sheriffs pay (House committee substitute 3/11). Passed second and third readings.
HB 417 - (Cherokee) Murphy power board creation. Passed second reading.
HB 420 - (Clay) Trout hatchery. Passed second and third readings.
HB 438 - (Washington and Martin) Officers relief fund. Passed second and third readings.
HB 447 - (Guilford) Depositing county money. Passed second and third readings.
HB 450 - (Guilford) Officials bonds. Passed second and third readings.
HB 463 - (Wilkes) Deputy sheriffs travel pay. Passed second and third readings.
HB 470 - (Duplin) Officials fees. Passed second and third readings.
HB 471 - (Duplin) CSC fees. Passed second and third readings.
HB 472 - (Duplin) Register fees. Passed second and third readings.
HB 488 - (Pitt) Ayden officials salaries. Passed second and third readings.
HB 490 - (Jackson) Authorizing special tax levies. Clarifying amendment adopted; amendment declared material for purposes of roll call reading; placed on calendar for second reading.
HB 491 - (Jackson) Authorizing commissioners to fix salaries. Amended to make clear that commissioners may fix only salary which comes entirely from county funds; passed second and third readings.
HB 512 - (Bladen) Prohibiting carnivals. Passed second and third readings.
HB 516 - (Cleveland) JP fees. Passed second and third readings.
HB 525 - (Sampson) Officials salaries and fees. Passed second and third readings.
HB 539 - (Mitchell) Officials salaries. Passed second and third readings.
HB 540 - (Mitchell) Coroner fees and bond. Passed second and third readings.
HB 551 - (Johnston) Solicitor salary. Passed second and third readings.

HB 578 - (Onslow) Jacksonville voting wards. Recalled from Local Government; placed on calendar; passed second and third readings.

HB 585 - (Johnston) Increasing Selma commissioners. Passed second and third readings.

HB 595 - (Jackson) Sylva election date. Passed second and third readings.

HB 604 - (Duplin) Calypso city hall sale. Passed second and third readings.

HB 605 - (Scotland) Unclaimed fee disposal. Passed second and third readings.

HB 606 - (Scotland) Laurinburg councilmen terms. Passed second and third readings.

HB 607 - (Scotland) Laurinburg-Maxton airport loans. Passed second and third readings.

HB 613 - (Cleveland) Lawndale charter amendment. Passed second reading.

HB 614 - (Cleveland) Kings Mountain plan D election. Passed second and third readings.

HB 636 - (Camden, Currituck, Gates, Pasquotank, and Perquimans) Bear hunting. Postponed to 3/17.

HB 638 - (Rockingham) Validating Spray officials acts. Passed third reading.

HB 639 - (Northampton) Officials salaries. Passed second and third readings.

HB 640 - (Washington) Tax prepayment discounts. Amended to eliminate one percent tax credit for September. Passed second and third readings.

HB 642 - (Washington) Repealing constable salary. Passed second and third readings.

HB 644 - (Hyde) Hyde recorder salary. Passed second and third readings.

HB 648 - (Hyde) Officials salaries. Passed second and third readings.

HB 656 - (Pender) Jailor fees. Passed second and third readings.

HB 663 - (Tyrrell) Sheriff bond. Passed second and third readings.

HB 674 - (Burke) Retirement system withdrawal. Clarifying amendment adopted. Passed second and third readings.

HB 675 - (Pitt) Extending Greeneville limits. Passed third reading.

HB 687 - (Rowan) Spencer property sale. Passed second and third readings.

HB 691 - (Polk) JP warrants and receipts. Passed second and third readings.

HB 697 - (Pamlico) Rural fire protection. Passed second and third readings.

HB 699 - (Tyrrell) Columbia police county ABC jurisdiction. Passed second and third readings.

HB 700 - (Tyrrell) Columbia police jurisdiction extension. Passed second and third readings.

HB 720 - (Guilford) High Point election procedure. Passed second and third readings.

HB 721 - (Harnett) Recorder court solicitor pay. Passed second and third readings.

HB 723 - (Cumberland) Abolishing Cross Creek Cemetery Commission. Passed second and third readings.

HB 733 - (Surry) Pilot Mountain election. Passed second and third readings.

HB 738 - (Currituck) Fixing CSC and register fees. Passed second and third readings.

HB 739 - (Currituck) Officials salaries. Passed second and third readings.

HB 740 - (Chowan) Edenton warrant officers. Passed second and third readings.

HB 765 - (Tyrrell) Education board appointments. Reported favorably. Placed on calendar for 3/18.

Next session of House: For consideration of local bills only, 10:00 a.m.,
Saturday, March 14, 1953.

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